

Representative Hall, Atlanta, Georgia**Tuesday, February 3, 2015****Tenth Legislative Day**

The House met pursuant to adjournment at 10:00 o'clock, A.M., this day and was called to order by the Speaker.

The roll was called and the following Representatives answered to their names:

| | | | | |
|------------------|-----------------|-------------|-----------|------------------|
| Abrams | Cooper | Hamilton | E McClain | Smith, L |
| Alexander | Corbett | Harbin | Meadows | Smith, M |
| Allison | Dawkins-Haigler | Harden | Mitchell | Smith, R |
| E Anderson | Deffenbaugh | Harrell | Morris | Smyre |
| Atwood | Dempsey | Hatchett | Nimmer | Spencer |
| Ballinger | Dickerson | Hawkins | Nix | Stephens, M |
| E Barr | Dickey | Henson | Oliver | Stephens, R |
| Battles | Dickson | Hightower | O'Neal | E Stephenson |
| E Beasley-Teague | Dollar | Hitchens | Pak | Stovall |
| Bell | Douglas | Holcomb | Parrish | Stover |
| Belton | Drenner | Holmes | Parsons | Strickland |
| Bennett | Dudgeon | Houston | Peake | Tankersley |
| Bentley | E Dukes | Howard | Petrea | Tanner |
| Benton | Dunahoo | Hugley | Pezold | Tarvin |
| Beskin | Duncan | Jackson | Powell, A | Taylor, D |
| Broadrick | Ealum | Jasperse | Powell, J | Taylor, T |
| Brockway | Efstration | Jones, J | Prince | Teasley |
| Brooks | Ehrhart | Jones, J.B. | Quick | Thomas, A.M. |
| Bryant | England | Jones, L | Rakestraw | Thomas, E |
| Buckner | Epps | Jones, S | Ramsey | Trammell |
| Burns | Evans | E Jordan | Randall | Turner |
| Caldwell, J | Fleming | Kaiser | E Reeves | Waites |
| Caldwell, M | E Floyd | Kelley | Rice | Watson |
| Cantrell | Fludd | Kendrick | Roberts | Welch |
| Carter | Frazier | Kidd | Rogers, C | Werkheiser |
| Casas | Frye | Kirby | Rogers, T | Wilkerson |
| Chandler | Gardner | Knight | Rutledge | Wilkinson |
| Cheokas | Gasaway | LaRicca | Rynders | Willard |
| Clark, D | Geisinger | Lumsden | Scott | Williams, A |
| Clark, H | Glantton | Mabra | E Setzler | Williams, C |
| Clark, V | Golick | Marin | Sharper | Williams, E |
| Coleman | Gordon | Martin | Shaw | Williamson |
| E Cooke | Gravley | Maxwell | Sims | Yates |
| Coomer | Greene | McCall | Smith, E | Ralston, Speaker |

The following members were off the floor of the House when the roll was called:

Representatives Beverly of the 143rd, Bruce of the 61st, Jacobs of the 80th, Mayo of the 84th, Mosby of the 83rd, Pruett of the 149th, Stovall of the 74th, and Weldon of the 3rd.

They wished to be recorded as present.

Prayer was offered by Archbishop Wilton Daniel Gregory, Archdiocese of Atlanta, Smyrna, Georgia.

The members pledged allegiance to the flag.

Representative Cheokas of the 138th, Chairman of the Committee on Information and Audits, reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

By unanimous consent, the following was established as the order of business during the first part of the period of unanimous consents:

1. Introduction of Bills and Resolutions.
2. First reading and reference of House Bills and Resolutions.
3. Second reading of Bills and Resolutions.
4. Reports of Standing Committees.
5. Third reading and passage of Local uncontested Bills.
6. First reading and reference of Senate Bills and Resolutions.

By unanimous consent, the following Bills of the House were introduced, read the first time and referred to the Committees:

HB 30. By Representatives Mitchell of the 88th and Stover of the 71st:

A BILL to be entitled an Act to amend Article 3 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to local boards of education, so as to prohibit local boards of education from seeking or maintaining accreditation by an accrediting entity which does not make its records relating to sanctions it imposes open for inspection and copying; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education.

HB 181. By Representative Bentley of the 139th:

A BILL to be entitled an Act to amend an Act to reincorporate and provide a new charter for the City of Marshallville in Macon County, approved March 19, 1987 (Ga. L. 1987, p. 3993), so as to revise the manner of filling a vacancy in the office of mayor or councilmember; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 182. By Representative Setzler of the 35th:

A BILL to be entitled an Act to amend Code Section 40-5-67.1 of the Official Code of Georgia Annotated, relating to chemical tests, implied consent notices, rights of motorists, test results, refusal to submit to testing, and suspension of licenses, so as to clarify provisions relating to acquisition of evidence; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

HB 183. By Representatives Knight of the 130th, Petrea of the 166th, Peake of the 141st, Dempsey of the 13th, Randall of the 142nd and others:

A BILL to be entitled an Act to amend Article 13 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to private home care providers, so as to revise the definition of private home care provider to include contractual arrangements with licensed independent contractors; to revise exempt services; to provide for a short title; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health & Human Services.

HB 184. By Representatives Williamson of the 115th, Morris of the 156th, Fludd of the 64th, Knight of the 130th, Coomer of the 14th and others:

A BILL to be entitled an Act to amend Title 7 of the Official Code of Georgia Annotated, relating to banking and finance, so to extensively revise said title; to provide for definitions relative to banking and finance; to provide for standards of notice for the Department of Banking and Finance; to provide for rules and regulations of the department; to provide for the deposit of funds in merchant acquirer limited purpose banks; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Banks & Banking.

- HB 185. By Representatives Shaw of the 176th, Efstration of the 104th, Taylor of the 173rd, Smith of the 134th, Williamson of the 115th and others:

A BILL to be entitled an Act to amend Title 33 of the O.C.G.A., relating to insurance, so as to extensively revise the "Standard Valuation Law"; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance.

- HB 186. By Representatives Setzler of the 35th, Gravley of the 67th and Dunahoo of the 30th:

A BILL to be entitled an Act to amend Article 4 of Chapter 11 of Title 16 of the O.C.G.A., relating to dangerous instrumentalities and practices, so as to change provisions relating to carrying weapons within certain school safety zones and at school functions; to provide for and change definitions; to change provisions relating to exemptions for carrying weapons within school safety zones; to harmonize provisions enacted by 2014 House Bills 60 and 826; to amend Code Section 17-5-52.1 of the Official Code of Georgia Annotated, relating to disposal of forfeited or abandoned firearms, so as to correct a cross-reference; to change provisions relating to carrying weapons in unauthorized locations; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety & Homeland Security.

- HB 187. By Representatives Dunahoo of the 30th, Hawkins of the 27th and Barr of the 103rd:

A BILL to be entitled an Act to amend an Act providing a new charter for the City of Flowery Branch, approved April 11, 1979 (Ga. L. 1979, p. 3404), as amended, particularly by an Act approved April 11, 2012 (Ga. L. 2012, p. 5132), so as to provide the corporate boundaries of such city; to change provisions relative to the filling of vacancies; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 188. By Representative Shaw of the 176th:

A BILL to be entitled an Act to amend an Act creating a board of commissioners for Lanier County, approved March 7, 1933 (Ga. L. 1933, p. 602), as amended, particularly by an Act approved February 27, 2012 (Ga. L. 2012, p. 3768), so as to revise the districts for the election of members of the board of commissioners; to provide for definitions and inclusions; to provide for the manner of election; to provide for the continuation in office of current members; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 189. By Representative Shaw of the 176th:

A BILL to be entitled an Act to amend an Act creating a new Board of Education of Lanier County, approved March 13, 1970 (Ga. L. 1970, p. 2709), as amended, particularly by an Act approved February 27, 2012 (Ga. L. 2012, p. 3763), so as to revise the education districts for the election of members of the board of education; to provide for definitions and inclusions; to provide for terms and continuation in office of current members; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 190. By Representatives Golick of the 40th, Smith of the 134th, Maxwell of the 17th and Powell of the 32nd:

A BILL to be entitled an Act to amend Chapter 1 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, so as to provide insurance requirements for transportation network companies and their drivers; to provide for definitions; to provide for minimum liability limits; to provide for certain disclosures; to provide for certain notifications; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance.

HB 191. By Representatives Efstration of the 104th, Rice of the 95th, Harrell of the 106th, Kirby of the 114th, Hitchens of the 161st and others:

A BILL to be entitled an Act to amend Chapter 14 of Title 47 the Official Code of Georgia Annotated, relating to the Superior Court Clerks' Retirement Fund of Georgia, so as to provide for creditable service for certain prior

service in the armed forces of the United States; to provide a short title; to provide a definition; to provide for application and payment; to provide for regulations; to provide for related matters; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Retirement.

HB 192. By Representative Powell of the 32nd:

A BILL to be entitled an Act to amend Chapter 80 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions regarding counties, municipal corporations, and other governmental entities, so as to provide that elected officials of counties, municipal corporations, school districts, and consolidated governments shall be reimbursed for expenses only through the submission of expense reimbursement requests; to prohibit an elected official of a county, municipal corporation, school district, or consolidated government from being issued or authorized to use a government purchasing card or government credit card; to provide for the promulgation of certain policies; to provide for access to certain records; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Governmental Affairs.

HB 193. By Representatives Rogers of the 29th, Mabra of the 63rd, Shaw of the 176th, Smith of the 134th and Teasley of the 37th:

A BILL to be entitled an Act to amend Chapter 25 of Title 33 of the Official Code of Georgia Annotated, relating to life insurance, so as to provide for the "Life Insurance Consumer Disclosure Model Act"; to provide for written notice to certain life insurance policyholders that request the surrender of, a loan against, or accelerated death benefit, nursing home benefit, critical illness benefit, or any other living benefit under a life insurance policy; to provide for a short title; to provide for definitions; to provide for the written notice provisions; to provide that the written notice shall be promulgated by rules and regulations by the Commissioner; to provide for penalties; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance.

HB 194. By Representatives Hamilton of the 24th, Rynders of the 152nd, Powell of the 32nd, Powell of the 171st, Brockway of the 102nd and others:

A BILL to be entitled an Act to amend Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and elections generally, so as to revise advance voting times and dates; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Governmental Affairs.

HB 195. By Representatives Cooper of the 43rd, Randall of the 142nd, Kelley of the 16th, Dempsey of the 13th, Rynders of the 152nd and others:

A BILL to be entitled an Act to amend Chapter 4 of Title 26 of the Official Code of Georgia Annotated, relating to pharmacists and pharmacies, so as to provide for substitutions of interchangeable biological products; to define certain terms; to provide for requirements and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health & Human Services.

HB 196. By Representatives Reeves of the 34th, Powell of the 171st, Ramsey of the 72nd, Hightower of the 68th, Pak of the 108th and others:

A BILL to be entitled an Act to amend Article 3 of Chapter 8 of Title 17 of the Official Code of Georgia Annotated, relating to conduct of proceedings, so as to change provisions relating to reversal on appeal when a judge expresses an opinion regarding proof in a criminal case or as to the accused's guilt; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

HB 197. By Representatives Jacobs of the 80th, Willard of the 51st, Fleming of the 121st, Evans of the 42nd, Welch of the 110th and others:

A BILL to be entitled an Act to amend Chapter 12 of Title 9, Title 11, and Chapter 2 of Title 18 of the O.C.G.A., relating to verdict and judgment, the commercial code, and debtor and creditor relations; to repeal the "Georgia Foreign Money Judgments Recognition Act" and enact the "Uniform Foreign-Country Money Judgments Recognition Act"; to amend Titles 7, 10, 40, and 52 of the O.C.G.A., relating to banking and finance, commerce and trade, motor vehicles and traffic, and waters of the state, ports, and watercraft; to amend Article 3 of Chapter 3 of Title 9 and Code Section 17-14-17 of the O.C.G.A., relating to limitations on recovery for deficiencies connected with improvements to realty and resulting injuries and fraudulent

transfers; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 198. By Representatives Dempsey of the 13th, Dickson of the 6th, Cooper of the 43rd, Chandler of the 105th, Coleman of the 97th and others:

A BILL to be entitled an Act to amend Part 3 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to student health in elementary and secondary education, so as to require annual suicide prevention education training for certificated school system personnel; to provide that no cause of action is created; to provide that no duty of care is created; to provide a short title; to provide for legislative findings; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education.

By unanimous consent, the following Bills and Resolutions of the House and Senate were read the second time:

| | |
|--------|--------|
| HB 165 | HB 166 |
| HB 167 | HB 168 |
| HB 169 | HB 170 |
| HB 171 | HB 172 |
| HB 173 | HB 174 |
| HB 175 | HB 176 |
| HB 177 | HB 178 |
| HB 179 | HB 180 |
| HR 126 | HR 127 |
| SB 1 | |

Representative Cooper of the 43rd District, Chairman of the Committee on Health and Human Services, submitted the following report:

Mr. Speaker:

Your Committee on Health and Human Services has had under consideration the following Bill of the House and has instructed me to report the same back to the House with the following recommendation:

HB 47 Do Pass, by Substitute

Respectfully submitted,
/s/ Cooper of the 43rd
Chairman

Representative Tankersley of the 160th District, Chairman of the Committee on Intragovernmental Coordination, submitted the following report:

Mr. Speaker:

Your Committee on Intragovernmental Coordination - Local Legislation has had under consideration the following Bills of the House and has instructed me to report the same back to the House with the following recommendations:

| | | | |
|--------|---------|--------|------------------------|
| HB 36 | Do Pass | HB 67 | Do Pass, by Substitute |
| HB 88 | Do Pass | HB 101 | Do Pass |
| HB 102 | Do Pass | HB 125 | Do Pass |
| HB 148 | Do Pass | | |

Respectfully submitted,
/s/ Tankersley of the 160th
Chairman

Representative Weldon of the 3rd District, Chairman of the Committee on Juvenile Justice, submitted the following report:

Mr. Speaker:

Your Committee on Juvenile Justice has had under consideration the following Bill of the House and has instructed me to report the same back to the House with the following recommendation:

HB 52 Do Pass

Respectfully submitted,
/s/ Weldon of the 3rd
Chairman

By unanimous consent, the following Bills of the House were taken up for consideration and read the third time:

HB 36. By Representatives Randall of the 142nd, Epps of the 144th, Peake of the 141st, Dickey of the 140th and Beverly of the 143rd:

A BILL to be entitled an Act to amend an Act entitled "Macon Water Commissioners - Pension Plan," approved December 30, 1953 (Ga. L. 1953, p. 2831), as amended, particularly by an Act approved May 1, 2012 (Ga. L. 2012, p. 5637), so as to repeal a provision permitting the assignment of pension rights; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

HB 67. By Representative Kidd of the 145th:

A BILL to be entitled an Act to provide for the unified government of Milledgeville-Baldwin County; to provide for boundaries and districts; to provide for powers and duties; to provide for organization, qualifications, election, terms, and filling of vacancies; to provide for associated offices, departments, and agencies; to provide for budgets and financial matters; to provide for a transition period; to provide for the repeal of certain Acts; to provide for a referendum; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED
AN ACT

To provide for the unified government of Milledgeville-Baldwin County; to provide for boundaries and districts; to provide for powers and duties; to provide for organization, qualifications, election, terms, and filling of vacancies; to provide for associated offices, departments, and agencies; to provide for budgets and financial matters; to provide for a transition period; to provide for the repeal of certain Acts; to provide for a referendum; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

ARTICLE I
Power of Unified Government
UNIFICATION, CREATION, BOUNDARIES, STATUS,
AND POWERS OF UNIFIED GOVERNMENT
SECTION 1-101.

Unification of county and city; creation of unified government.

(a) The new government shall be known as the Milledgeville-Baldwin County Unified Government. This unification shall result in the creation and establishment of a single

government with powers and jurisdiction throughout the territorial limits of Baldwin County, which single government shall supersede and replace the governments of the City of Milledgeville and Baldwin County. Such county-wide government shall be a new political entity, a body politic and corporate, and a political subdivision of the state, to be known as "Milledgeville-Baldwin County, Georgia," having all the governmental and corporate powers, duties, and functions heretofore held by and vested in the City of Milledgeville and Baldwin County, and also the powers, duties, and functions provided in this charter. The unified government shall be a public corporation; shall have perpetual existence; shall adopt a common seal; shall, without the necessity or formality of a deed, bill of sale, or other instrument of transfer, own, possess, and hold all the properties of whatsoever kind or nature, assets, contracts, franchises, things, rights, privileges, immunities, and real and personal property theretofore owned, possessed, enjoyed, or held by the City of Milledgeville or Baldwin County; and by the name of Milledgeville-Baldwin County, Georgia, shall be capable of suing and being sued when authorized by this charter and by the Constitution and laws of the State of Georgia. From and after the effective date of this charter, the political subdivision known as Baldwin County, Georgia, and the municipal corporation known as the City of Milledgeville, Georgia, shall be unified into the said new political entity created in this charter.

(b) Milledgeville-Baldwin County, Georgia, shall encourage the meaningful involvement in its operations of all citizens of Milledgeville-Baldwin County. This government shall comply with the United States Civil Rights Act of 1964 and 1972 as well as federal and state employment law where applicable. State of Georgia home rule statutes shall also apply where applicable.

(c) The unification of the governments of the City of Milledgeville and Baldwin County is authorized pursuant to the provisions of Article IX, Section III, Paragraph II(a) of the Constitution of Georgia of 1983, as amended.

(d) When the term "Milledgeville-Baldwin County Commission" or "commission" is used in this charter, unless a contrary meaning is clearly apparent from the context, such term shall include the mayor, vice mayor, and commissioners.

SECTION 1-102.

Boundaries.

Milledgeville-Baldwin County, Georgia, shall embrace the total area included within the existing territorial limits of Baldwin County as such limits are fixed and established on the effective date of this charter. However, such limits may be altered and changed from time to time as provided by the Constitution and laws of the State of Georgia pertaining to counties.

SECTION 1-103.

Status as municipal corporation and county.

Milledgeville-Baldwin County, Georgia, shall be deemed to be both a municipal corporation and a county throughout the total territory of said government. It is the express intention of this section to declare as a city and as a part of the unified government all of the area of Baldwin County.

SECTION 1-104.

Powers.

(a) Milledgeville-Baldwin County, Georgia, shall have all powers of self-government authorized by the Constitution and not otherwise prohibited by the laws of Georgia.

(b) In addition to the foregoing, the unified government shall have and be vested with, to the same extent as if herein repeated, all rights, powers, duties, privileges, and authority that the mayor and council of the City of Milledgeville or the Commission of Baldwin County, or both, have under the Constitution and general and local laws of the State of Georgia at the time of adoption of this charter. This authority shall include, but shall not be limited to, the authority to adopt home rule ordinances and resolutions as provided in Article IX, Section II of the Constitution of the State of Georgia.

(c) In addition to the foregoing, the unified government shall have all rights, powers, duties, privileges, and authority herein conferred or herein enlarged, and such other rights, powers, duties, privileges, and authority as may be necessary and proper for carrying the same into execution, and also all rights, powers, duties, privileges, and authority, whether express or implied, that may be now vested in or hereafter granted to counties or municipal corporations, or both, by the Constitution and laws of the State of Georgia, including the powers vested in the unified government by this charter.

(d) The unified government, in addition to the rights, duties, powers, privileges, and authority expressly conferred upon it by this charter, shall have the right, duty, power, privilege, and authority to exercise and enjoy all other powers, duties, functions, rights, privileges, and immunities necessary and proper to promote or protect the safety, health, peace, security, and general welfare of said government and its inhabitants and to exercise all implied powers necessary to carry into execution all powers granted in this charter as fully and completely as if such powers were fully enumerated herein and to do and perform all of the acts pertaining to its property, affairs, and local government which are necessary or proper in the legitimate exercise of its corporate powers and governmental duties and functions.

(e) No enumeration of any right, power, privilege, or authority provided in other sections of this charter shall be construed as limiting or abolishing any right, power, and privilege or authority set forth in this section.

(f) In addition to and supplementary to all other powers which it may possess, and by way of illustration and not of limitation, the unified government shall have the powers specifically enumerated in Section 8-114 of this charter.

SECTION 1-105.

Taxing districts.

(a) The unified government shall divide the county into two or more taxing districts which shall be known as "services districts"; provided, however, that at least one of such districts shall be known as the general services district. The general services district shall embrace the total geographic area of Milledgeville-Baldwin County. In addition, the board of commissioners shall initially establish at least one urban services district which shall embrace such territory for which provision is made by the commission for additional or higher levels of services than are provided uniformly throughout the territory of the unified government.

(b) Taxes shall be assessed, levied, and collected in accordance with the kind, character, type, degree, and level of services provided by the government within such services districts; and the rate and manner of taxation may vary in any one district from that in another or other districts.

(c) The unified government may also establish special services districts which shall embrace such territory or territories for which provision is made by the commission for additional or higher levels of services provided by the unified government.

(d) In the establishment of future services district or districts, the commission shall hold one or more public hearings thereon at which all interested persons affected thereby shall have an opportunity to be heard. Notice of the time, place, and date of such hearings shall be published in the official legal organ of Milledgeville-Baldwin County at least once a week during the two weeks immediately preceding the date of the hearing.

(e) The unified government shall be empowered to exercise and provide within the general services district and within any urban and special services district established by this charter or by ordinance of the commission those powers, functions, and services which have previously been exercised and provided by Baldwin County or the City of Milledgeville, or both; all powers, functions, and services authorized by this charter and any amendments thereto; and all powers, functions, and services which counties or municipal corporations, or both, are now or are hereafter authorized to exercise under the Constitution and laws of the State of Georgia.

(f) The unified government shall perform within the general services district those governmental duties, functions, and services which are generally available and accessible to all residents throughout the total area of said government.

(g) The unified government shall perform within its urban services districts those additional, more comprehensive and intensive, and higher levels of governmental duties, functions, and services which benefit primarily the residents of such urban services districts.

(h) The unified government shall perform within its special services districts those additionally selected, more comprehensive, intensive, and higher levels of governmental duties, functions, and services which benefit primarily the residents of such special services districts.

(i) Except as otherwise provided by this charter, urban and special services districts of the unified government shall be created, expanded, merged, consolidated, or reduced only by an ordinance duly adopted by the commission under such general rules, procedures, regulations, requirements, and specifications as established by the commission; provided,

however, that no new urban or special services district shall be created or existing urban or special services district expanded, abolished, merged, consolidated, or reduced without providing an opportunity for interested persons to be heard by publishing a notice of a public hearing on the proposed expansion, abolishment, merger, consolidation, reduction, or creation of an urban or special services district in the official legal organ of Milledgeville-Baldwin County, Georgia, at least once a week during the two weeks immediately preceding the date of hearing. Such rules and regulations shall set forth the manner and method for the creation of new urban and special services districts; the expansion, abolishment, consolidation, reduction, or merger of existing urban or special services districts; requirements for defining functions and policies for rendering services; changes in levels of services within existing services districts; the transfer of territory from one services district to another; requirements for defining boundaries of services districts; procedures for the expansion, abolishment, reduction, or consolidation of existing services districts; and requirements for defining boundaries of services districts.

(j) The unified government is empowered to create new services and eliminate existing services by the same procedures and methods stated in this section.

(k) Citizens of any area in the county may request additional services by petitioning the unified government according to the rules, procedures, and guidelines established by the unified government. The unified government shall hold public hearings as outlined in the services district modification procedure stated in this section and shall consider all comments received prior to reaching a final decision.

SECTION 1-106.

Construction.

The powers of the unified government shall be construed liberally in favor of the unified government. The specific mention or failure to mention particular powers in this charter shall not be construed as limiting in any way the general powers of the unified government as provided in this article. It is the intention hereof to grant to the unified government full power and right to exercise all governmental authority authorized by the Constitution and laws of Georgia which is necessary for the effective operation and conduct of the unified government within its territory and for the conduct of all of its affairs.

ARTICLE II

Legislative Make-up

UNIFICATION, CREATION, BOUNDARIES, STATUS, AND POWERS OF UNIFIED GOVERNMENT.

SECTION 2-101.

Organization, oath, rules, quorum, records; vice chair.

(a)(1) The unified government provides for the creation of the Milledgeville-Baldwin County Commission as its governing body.

(2)(A) The commission shall be composed of five commissioners elected from districts and a mayor and vice mayor who shall be elected at large. For the purpose of electing members of the commission, Milledgeville-Baldwin County shall be divided into five commissioner districts. One member of the commission shall be elected from each such district. The five commissioner districts shall be and correspond to those five numbered districts described in and attached to and made a part of this Act and further identified as "Plan: MillBaldCC-2015 Plan Type: Local Administrator: H145 User: Gina".

(B)(i) For the purposes of such plan:

(I) The term "VTD" shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 2010 for the State of Georgia. The separate numeric designations in a district description which are underneath a VTD heading shall mean and describe individual Blocks within a VTD as provided in the report of the Bureau of the Census for the United States decennial census of 2010 for the State of Georgia; and

(II) Except as otherwise provided in the description of any district, whenever the description of any district refers to a named city, it shall mean the geographical boundaries of that city as shown on the census maps for the United States decennial census of 2010 for the State of Georgia.

(ii) Any part of Milledgeville-Baldwin County which is not included in any district described in subparagraph (a)(2)(A) of this section shall be included within that district contiguous to such part which contains the least population according to the United States decennial census of 2010 for the State of Georgia.

(iii) Any part of Milledgeville-Baldwin County which is described in subparagraph (a)(2)(A) of this section as being included in a particular district shall nevertheless not be included within such district if such part is not contiguous to such district. Such noncontiguous part shall instead be included within that district contiguous to such part which contains the least population according to the United States decennial census of 2010 for the State of Georgia.

(3) After the initial election of the mayor, vice mayor, and commission members as provided in Section 6-301 of this charter, the mayor, vice mayor, and commission members shall be elected to four-year terms of office and until their respective successors are elected and qualified. The Milledgeville-Baldwin County Commission (also referred to as "commission", "board of commissioners", or "board") shall meet for organization and swearing in purposes on the first Tuesday after January 1 following its election or as soon thereafter practicable. At this meeting, the newly elected commissioners shall each take the following oath of office, to be administered by the judge of the probate court:

"I do solemnly swear (or affirm) that I will well and truly perform the duties of commissioner of the unified government of Milledgeville-Baldwin County, Georgia, and that I will support and defend the charter thereof, as well as the Constitution and laws of the State of Georgia and of the United States of America, so help me God."

- (b) The commission, by majority vote, shall adopt rules of procedure governing the transaction of its business consistent with the provisions of this charter; shall set by ordinance the time, date, and place for regular meetings, which will be held at least once each month; and shall provide for keeping minutes of its proceedings by the clerk as provided for by the charter. The commission may opt to hold more than one regular monthly meeting or may choose to hold a regular monthly work session. In either case, the number and type of meeting shall be established annually by majority vote.
- (c) At its first organizational meeting, the commission shall select the date when it will hold its regular monthly meetings.
- (d) Four of the seven members of the commission shall constitute a quorum for the transaction of business; however, a smaller number may adjourn from time to time.
- (e) Special meetings of the commission may be called by the mayor or by a quorum of commissioners upon no less than 24 hour notice. Written notice of such meeting shall be served personally on each member or left at the usual place of business or residence of such member. Such notice of a special meeting may be waived in writing either before or after such meeting. Subject to subsection (d) of Code Section 50-14-1 of the O.C.G.A., special meetings may be held at any time without notice to all commissioners, upon attendance at such meeting by all members of the commission, or by waiver of notice of those not in attendance.
- (f) All meetings of the commission, except for those exceptions provided for in general law, shall be public; and any citizen shall have access to the minutes and records thereof at reasonable times.
- (g) In the absence of the mayor for any reason, the vice mayor shall preside over meetings and discharge the duties of mayor until either the return of the mayor or the election of a new mayor. While serving as the mayor, the vice mayor shall have the same powers as the mayor.

SECTION 2-102.

Powers of the commission.

- (a) All legislative powers of the unified government of Milledgeville-Baldwin County, Georgia, including any powers which may hereafter be conferred by law upon said government, shall be vested exclusively in the mayor and the commission in accordance with the provisions of this charter.
- (b) The unified government, in addition to the rights, duties and powers, privileges, and authority expressly conferred upon it by this charter, shall have the right, duty, power, privilege, and authority to exercise and enjoy all other powers, duties, functions, rights, privileges, and immunities necessary and proper to promote or protect the safety, health, peace, security, and general welfare of said government and its inhabitants and to exercise all implied powers necessary to carry into execution all powers granted in this charter as fully and completely as if such powers were fully enumerated in this charter to do and perform all the acts pertaining to its local affairs, property, and government that

are necessary or proper in the legitimate exercise of its corporate powers and governmental duties and functions.

(c) No repeal of any law under which the unified government derives any right, power, privilege, or authority, except by amendment of this charter as provided in this charter, shall be construed as limiting or abolishing any such right, power, privilege, or authority set forth in this charter.

(d) The general laws of the State of Georgia of a criminal nature shall be applicable to and within the limits of the unified government. General laws of local application through classification by population not in conflict with this charter which, on the effective date of this charter, apply to the City of Milledgeville or Baldwin County which are applicable to the unified government and which apply to the unified government as either a city or a county at the time of their enactment or thereafter shall be effective, but those which did not apply to the City of Milledgeville or Baldwin County or the unified government at the time of their enactment shall not become applicable to the unified government except through the adoption of a resolution to that effect by the commission.

(e) Local Acts of the State of Georgia which apply specifically to Baldwin County, or the City of Milledgeville, or both collectively, shall be applicable to the unified government.

(f) In construing the applicability of provisions of the Constitution and the general laws of Georgia which apply in general terms to either counties or municipalities, or both, and local Acts of the General Assembly that apply specifically to Baldwin County, the City of Milledgeville, or all collectively, the following terms as used in such laws shall be construed to include the unified government as follows:

- (1) "Board of commissioners" shall be construed to include the commission of Milledgeville-Baldwin County, Georgia;
- (2) "City," "town," "municipal corporation," or "municipality" shall be construed to include Milledgeville-Baldwin County, Georgia;
- (3) "Council," "mayor," "mayor and council," and "county commissioners" shall be construed to include the commission of Milledgeville-Baldwin County, Georgia; and
- (4) "County" means Milledgeville-Baldwin County, Georgia.

Any other terms and provisions as used in such Acts to refer specifically to Baldwin County or the City of Milledgeville or both collectively shall include employees, departments, and agencies of such entities.

(g) In construing the applicability of laws in force to the unified government, the following order shall prevail:

- (1) The Constitution of the State of Georgia;
- (2) The general laws of uniform application now in force or hereafter enacted by the General Assembly, as distinguished from general laws of local application through classification by population, applicable to municipal corporations or counties or both;
- (3) The general laws of local application through classification by population as and to the extent provided in subsection (b) of this section;
- (4) Special laws applicable to Baldwin County, not in conflict with this charter;

- (5) Special laws applicable to the City of Milledgeville, not in conflict with this charter;
- (6) This charter and all ordinances and resolutions passed pursuant thereto; and
- (7) Existing ordinances and resolutions of the former City of Milledgeville and existing ordinances and resolutions of the former County of Baldwin not in conflict with this charter.
- (h) The tort and nuisance liability of the unified government shall follow the law and rules of tort liability applicable to counties in Georgia.
- (i) For purposes of applicable laws, the unified government shall constitute a municipality and a county, or both. Except as otherwise provided by this charter, if a law applicable to municipalities and the same or another law applicable to counties are in conflict, the law applicable to counties shall prevail.
- (j) The unified government shall have the power and authority to participate in, cooperate in, and take all necessary action with respect to any and all projects, programs, and undertakings of any nature authorized by any statute, rule, or regulation of the United States, the State of Georgia, or any federal or state agency or instrumentality, including, but not limited to, community development, highways, aviation, aviation terminals, airports, airport facilities, municipal area or regional development, water and sewage disposal, public housing, housing for the aged, and transportation or mass transit or any phase thereof; to borrow money and issue promissory notes, general obligation bonds, or revenue bonds, or any combination thereof, for any such purposes in accordance with the provisions of this charter; and to execute mortgages or deeds of trust in favor of any federal agency, secured by property of which the restructured government is the legal or beneficial or equitable owner, or in favor of any private agency where the loan is guaranteed by a federal agency.
- (k) In addition to its legislative powers, the commission shall specifically have the power to:
 - (1) Adopt and, as needed, amend the annual balanced budget by a majority vote;
 - (2) Approve or reject recommendations concerning the appointments of the manager and attorney by a majority vote;
 - (3) Remove from office the manager, attorney, or auditor by majority vote; and
 - (4) Suspend the rules by a majority vote.
- (l) In the exercise of its powers, the commission shall adopt and provide for the execution of such ordinances, resolutions, rules, and regulations, not inconsistent with the charter, as may be necessary or proper for the purpose of carrying into effect the powers conferred by this charter and for the promotion and protection of the safety, health, peace, security, and general welfare of the inhabitants of the unified government and may enforce such ordinances, resolutions, rules, and regulations by imposing penalties for violations thereof, as prescribed by ordinance, by a fine that shall not to exceed \$1,000.00, or by imprisonment for a period not to exceed six months.
- (m) Except as otherwise provided by the Constitution, general or local law, or this charter, the commission may by ordinance create, change, alter, combine, abolish, consolidate, and redefine the manner of appointment, membership, powers, and duties of

bureaus, boards, commissions, departments, divisions, authorities, offices, and agencies of the unified government, including positions of public office, and may transfer and delete functions and assign additional functions to any bureaus, offices, agencies, departments, divisions, boards, authorities, commissions, and positions of public employment existing under this charter. The commission may by ordinance transfer all the assets, liabilities, and obligations thereof to a department, a division, or other unit of a department of the unified government which shall have the power and duty to perform and exercise all the functions and powers previously performed and exercised by such previous board, commission, authority, division, agency, bureau, office, department, or position of public employment. This subsection shall not apply to any authorities or boards which were created by either a local constitutional amendment or by a local Act of the General Assembly.

(n) The commission shall have the power to conduct or cause to be conducted inquiries and investigations of the operations of any office, department, or agency or the conduct of any officer or employee thereof administering the affairs of the unified government. In conducting inquiries and investigations, the commission shall have the right to administer oaths; subpoena witnesses, documents, records or other evidence; take testimony; and require the production of evidence. The conduct of proceedings at commission inquiries and investigations shall be subject to such rules and regulations as the commission may prescribe by general ordinance.

(o) The commission shall provide for the form of oaths and the amount and condition of surety bonds as may be required of any officer or employee of the unified government.

(p) The commission shall have and exercise such other powers as conferred upon it by this charter and the laws of Georgia.

SECTION 2-103.

Filling of vacancies.

(a) In the event that the office of a member of the commission becomes vacant by reason of death, resignation, or any other cause, and the term will expire in less than 180 days, the vacant position shall be filled by appointment by the remaining members of the commission. Any individual so appointed shall have the same qualifications required for election to the office.

(b) If the term of the vacant commission position will continue for more than 180 days, a special election shall be held as provided in this charter and general state law to elect a new member of the commission to serve for the remainder of the term.

SECTION 2-201.

Legislation by ordinance.

Every official act of the commission which is to have the force and effect of law shall be by ordinance and shall begin with the words: "The Commission of Milledgeville-Baldwin

County, Georgia, hereby ordains". All other acts of the commission shall be by resolution or shall take such other form as prescribed by its rules.

SECTION 2-202.

Introduction, consideration, and passage of ordinances and resolutions.

- (a) Every proposed ordinance and every amendment shall contain not more than one subject which shall be expressed clearly in its title.
- (b) It shall be the duty of the attorney to review all ordinances prior to introduction to the commission in order to discern the draftsmanship and impact of the proposed ordinance. After such review, copies of such ordinance shall be prepared by the clerk of the commission and distributed to each member of the commission.
- (c) Every proposed ordinance shall be in writing, and each commissioner shall receive a copy. Such proposed ordinance shall be introduced by reading the title thereof at a regular monthly meeting or a properly called special meeting of the commission. Any new ordinances or amended ordinances shall be introduced at one meeting and acted on at the next or a later meeting. Rules may be suspended for exigent circumstances by majority vote. Exigent circumstances shall be defined as natural disasters or any event affecting the public order.
- (d) The adoption of any ordinance shall require a majority vote.
- (e) The passage of all ordinances shall be contingent upon the recording of the "ayes" and "nays" of each person voting and the names of each person voting for and against each proposed ordinance or amendment. The names of those abstaining and those absent shall be entered upon the minutes of the proceedings of the commission.

SECTION 2-203.

Submission of ordinances to mayor; effective date.

Every ordinance or resolution adopted by the commission shall be certified by the clerk of the commission and presented to the Milledgeville-Baldwin County mayor within two business days following its adoption.

SECTION 2-204.

Authentication; recording.

The clerk of the commission shall authenticate by signature and record in full in a properly indexed book kept for that purpose all ordinances and resolutions adopted by the commission.

SECTION 2-205.

Codes of technical regulations.

(a) The commission may adopt any standard code of technical regulations by reference thereto in an adopting ordinance. The procedure and requirements governing such adopting ordinance shall be prescribed for ordinances generally, except that the requirements of subsection (c) of Section 2-202 of this charter for distribution of copies of the ordinance to each commission member shall be construed to include copies of the code of technical regulations. Copies of the code of technical regulations shall be maintained in the clerk's office, as well as the adopting ordinance, and shall be authenticated by the clerk as provided in Section 2-204 of this charter.

(b) Copies of any adopted code of technical regulations shall be made available by the clerk for public inspection and for purchase at a reasonable price as fixed by the commission.

SECTION 2-206.

Codification and printing of ordinances.

(a) The commission shall, within two years of the effective date of this charter, provide for the preparation of general codification of all ordinances of a general or permanent nature. Such code shall be adopted by the commission by ordinance and shall be published promptly in loose-leaf form, together with all amendments thereto, this charter, and amendments hereto, and such codes of technical regulations and other rules and regulations as the commission may specify. This compilation shall be known and cited officially as the "Code of Milledgeville-Baldwin County, Georgia." As determined by the commission, copies of the code shall be furnished to officers, departments, and agencies of the unified government; placed in libraries and public offices for public reference; and made available for purchase by the public at a reasonable price.

(b) Following publication of the first Code of Milledgeville-Baldwin County, Georgia, from time to time thereafter, the ordinances and charter amendments shall be printed in substantially the same style as the code then in effect and shall be in a suitable form for integration therein.

SECTION 2-207.

Prima facie evidence.

A record or entry made by the clerk of commission of a copy of such record or entry, duly certified by the clerk of commission, shall be prima facie evidence of the terms of every ordinance and its due adoption.

SECTION 2-301.

Conflict of interest.

No elected official, appointed officer, or employee of Milledgeville-Baldwin County, Georgia, or any agency or political entity to which this charter applies shall knowingly:

- (1) Engage in any business or transaction in which the person has a financial interest which is incompatible with the proper discharge of official duties;
- (2) Disclose confidential information concerning the property, government, or affairs of the governmental body by which such person is engaged or is a member of without proper legal authorization or use that information to advance the financial or other private interest of such person or others;
- (3) Accept any gift that has a value of \$100.00 or more from any person, firm, or corporation which to his or her knowledge is interested, directly or indirectly, in business dealings with the governmental body of which he or she is a member or by which such person is engaged; provided, however, that an elected official who is a candidate for public office may accept campaign contributions and services in connection with a campaign;
- (4) Represent private interests other than his or her own in any action or proceeding against Milledgeville-Baldwin County, Georgia, or any portion of its government; or
- (5) Vote or otherwise actively participate in the negotiation or the making of any contract between Milledgeville-Baldwin County, Georgia, and any business or entity in which he or she has a financial interest.

SECTION 2-302.

Disclosure.

Any elected official, appointed officer, or employee of the unified government or of any board, commission, authority, or agency thereof who has any private financial interest, direct or indirect, in any contract or matter pending before or within any department of the unified government shall disclose such private interest to the commission. Any commissioner who has a private interest in any matter pending before the commission shall disclose such private interest, and such disclosure shall be entered on the records of the commission; and he or she shall disqualify himself or herself from participating in any decision or vote relating thereto. Any elected official, appointed officer, or employee of any board, commission, authority, or agency of the unified government who has any private financial interest, direct or indirect, in any contract or matter pending before or within such entity shall disclose such private interest to the commission.

SECTION 2-303.

Testimony of public officials relating to public affairs.

Any officer or employee of the unified government or of any board, commission, authority, or agency thereof who is duly and properly called a witness before any unified government, state, or federal judicial or administrative tribunal, who before such tribunal fails to answer any proper question concerning his or her performance, shall be guilty of a violation of this charter; provided, however, that Garrity rights and fifth amendment constitutional protections are honored.

SECTION 2-304.

Contracts voidable and rescindable.

Any contract between the unified government or any board, commission, authority, agency, or entity thereof made in violation of the provisions of this charter shall be voidable or rescindable at the option of the commission at any time if any elected official, appointed officer, or employee of such unified government or board, commission, authority, or agency thereof has any interest in such contract and does not disclose such interest in accordance with Section 2-302 of this charter.

SECTION 2-305.

Hearings and determinations; penalties for violation.

(a) Upon the sworn complaint of any person alleging facts which, if true, would constitute a violation of this charter, the commission shall appoint an ethics committee consisting of three persons to consider such complaint. Such committee shall be selected by the commission from the following public officers of Milledgeville-Baldwin County: the clerk of superior court, the judge of the probate court, the tax commissioner, the district attorney, and the solicitor of the state court. The ethics committee may conduct a public hearing at which the accused shall be given an opportunity to be heard, either personally or through counsel. At the conclusion, based thereon, the committee shall make a determination concerning the propriety of the conduct of the official or employee in question and shall report such determination to the commission. If the ethics committee finds a violation, then the commission may impose such sanctions as it deems appropriate under this charter.

(b) Any officer or employee of the unified government or of any board, commission, authority, or agency thereof who is found to have knowingly concealed his or her personal financial interest, or who is found to have knowingly violated any of the requirements of this charter, shall be deemed guilty of malfeasance in office or position. If such decision is upheld after all reviews and appeals provided by the unified government have been exhausted, the officer or employee shall be subject to such punishment as may be deemed appropriate by the commission and which may include forfeiture of office or position.

(c) Any officer or employee of the unified government or of any board, commission, authority, or agency thereof who forfeits his or her office or position as described in subsection (b) of this section shall be ineligible for appointment or election to or employment in a position in the unified government or of any board, commission, authority, or agency thereof for a period of three years thereafter.

SECTION 2-306.

Recall of elected officials.

Upon adoption of this charter, a process for recall of elected officials shall be established in accordance with state law.

SECTION 2-307.

Code of ethics.

Within three months after taking office, the initial Milledgeville-Baldwin County Commission shall adopt a code of ethics for elected officials.

ARTICLE III

UNIFIED GOVERNMENT HEAD

SECTION 3-101.

Head of government; election; term of office; qualification; disqualification.

(a) There is hereby created the office of Milledgeville-Baldwin County Commission chairperson who shall be known as the mayor. Except as otherwise provided for an initial term of office, this position shall be elected at large by the voters of the unified government and shall serve for a term of four years and until a successor is qualified and elected.

(b) Except as otherwise provided for initial terms of office, the term of office of all members of the Milledgeville-Baldwin County Commission shall be four years and until their successors are elected and qualified, except that a person appointed to fill a vacancy on the commission shall serve only for the balance of the unexpired term as provided in Section 2-103 of this charter. All terms of office shall commence at the first regular meeting in January following the election.

SECTION 3-102.

Salary and expenses.

(a) The salary of each commissioner, other than the mayor and vice mayor, shall be \$15,000.00 per year, payable in equal monthly installments. The vice mayor's salary shall be \$20,000.00 per year, payable in equal monthly installments.

(b) In addition to their salaries, commissioners shall be reimbursed for all direct expenses incurred in carrying out the duties and responsibilities of the unified government.

(c) The salary and expenses of members of the commission may be changed by ordinance, subject to the following conditions:

(1) No action to increase the salary or expenses of commissioners shall be taken until notice of intent to take the action has been published in the official legal organ of Milledgeville-Baldwin County, Georgia, at least once a week for three successive weeks immediately preceding the week during which the action is taken;

(2) Salary increases shall not take effect until after the next commission is elected and seated; and

(3) Increases in expense reimbursements shall take effect upon the affirmative action of the commission.

SECTION 3-103.

Qualifications of office.

(a) To be eligible for election to the office of mayor or vice mayor, a person, on the date of his or her election, shall:

- (1) Have attained the age of 25 years;
- (2) Have resided in the territory of Milledgeville-Baldwin County, Georgia, for at least one year immediately preceding the date of election and shall continue such residence therein during the term of office;
- (3) Be a registered voter of Milledgeville-Baldwin County, Georgia; and
- (4) Meet any other requirements as established by law.

(b) To be eligible for election to the Milledgeville-Baldwin County Commission, a person, on the date of his or her election, shall:

- (1) Have attained the age of 21 years;
- (2) Have resided in the territory of Milledgeville-Baldwin County, Georgia, for at least one year immediately preceding the date of election and shall continue such residence therein during the term of office and shall have resided in their election district for at least one year;
- (3) Be a registered voter of Milledgeville-Baldwin County, Georgia; and
- (4) Meet any other requirements as established by law.

(c) No person elected to the Milledgeville-Baldwin County Commission or as mayor or vice mayor shall, during that person's term of office, hold any other federal, state, or local elective government office.

SECTION 3-104.

Compensation for mayor.

(a) The mayor shall receive as compensation for the services of the office an annual salary of \$35,000.00, payable in equal monthly installments.

(b) In addition to such salary, the mayor shall be reimbursed for all direct expenses incurred in carrying out the duties and responsibilities of the unified government.

(c) The salary and expenses of the mayor may be changed by ordinance, subject to the following conditions:

- (1) No action to increase the salary shall be taken until notice of intent to take the action has been published in the official legal organ of Milledgeville-Baldwin County, Georgia, at least once a week for three successive weeks immediately preceding the week during which the action is taken;
- (2) Salary increases shall not take effect until after the next commission is elected and seated; and

(3) Increases in expense reimbursement shall take effect upon the affirmative action of the commission.

SECTION 3-105.

Powers and duties of mayor.

The mayor shall:

- (1) Serve as the official representative of Milledgeville-Baldwin County, Georgia, including serving as the unified government's representative to federal, state, and local governmental bodies and officials;
- (2) Appoint a county manager, who shall be subject to confirmation by a majority of the commission;
- (3) Initiate the process, with the involvement of commissioners and appropriate staff, to search and screen candidates for the positions of attorney, auditor, and commission clerk and appoint candidates for such positions subject to confirmation by a majority vote of the entire commission;
- (4) Remove the county manager, attorney, commission clerk, and auditor for cause subject to the concurrence by a majority of the entire commission;
- (5) Set the agenda, after receiving input from members of the commission, the county manager, and the public, for meetings of the commission;
- (6) Make committee appointments; provided, however, that all standing and appointed committees shall be recommending bodies with the ability to recommend actions to the commission with the full commission retaining the authority to act;
- (7) Present the annual budget and the capital improvements budget, which shall be prepared by the county manager with the assistance of all department and agency heads and all others who supervise the implementation of a budget that uses funds of Milledgeville-Baldwin County, Georgia, for approval by the commission;
- (8) Be authorized to vote on any issue before the commission and shall vote in the event of a tie vote by the commission;
- (9) Call special meetings of the commission as provided by this charter and by rules of the commission;
- (10) Execute all deeds, contracts, and obligations of the unified government, provided such execution shall be attested to by the county manager;
- (11) Recommend to the commission the adoption of such measures as deemed necessary or expedient;
- (12) Perform any other duties and exercise any other powers required by state or federal law or authorized by a duly adopted ordinance that is not in conflict with this charter; and
- (13) Preside over meetings of the commission.

SECTION 3-106.

Vacancy in office of mayor.

(a) In the event that the office of mayor becomes vacant by reason of death, resignation, or any other means, the vice mayor shall serve as the mayor with all the powers of the mayor for the unexpired term of office of the mayor if there are 180 days or less remaining in such term of office.

(b) If there are more than 180 days remaining in the mayor's term of office, a special election shall be held as soon as practicable as provided by general law to elect a new mayor for the remainder of the vacant term. The vice mayor shall serve as the mayor until such special election is held and a successor for the mayor is elected and qualified.

ARTICLE IV
ADMINISTRATION SECTION
SECTION 4-101.

Milledgeville-Baldwin county manager; appointment;
qualifications; compensation.

(a) There may be a professional manager who shall be known as the county manager of Milledgeville-Baldwin County, Georgia. If appointed, the county manager shall be the full-time administrative officer of the unified government. A county manager may be appointed by the mayor recommending a candidate to the commission for the office of county manager and the commission confirming such recommendation. No person holding an elective office on the Milledgeville-Baldwin County Commission shall be eligible for this appointment until two years after leaving elective office. Such recommendation shall become effective when confirmed by a majority vote of the total membership of the commission. The county manager shall be prohibited from engaging in any political activity and shall not be eligible to qualify as a candidate for an elective office in the Milledgeville-Baldwin County Commission for one year after leaving office. The county manager at any time may be removed from office by a majority vote of the entire commission.

(b) Whenever the office of the manager is vacant, the mayor may recommend a person to serve as acting manager until a new manager is appointed, subject to approval by a majority vote of the entire commission and subject to reappointment thereafter. The acting manager at any time may be removed by a majority vote of the entire commission.

(c) The county manager need not be a resident of the county at the time of his or her appointment but shall establish residence therein within six months of such appointment and continue to reside therein throughout such appointment. The qualifications and compensation of the county manager shall be fixed by the commission.

SECTION 4-102.
County manager; powers and duties.

(a) If appointed, the county manager shall be responsible for:

(1) The management and coordination of the operations and activities of the various departments and agencies of the unified government;

- (2) The appointment and removal of all department heads with the exception of the city attorney, auditor, and clerk of commissioners;
 - (3) The preparation of the proposed annual budget with the assistance of all department heads for approval by the commission and the mayor;
 - (4) Keeping the commission at all times fully advised as to the financial condition and needs of the unified government;
 - (5) Conducting studies and investigations and making reports thereon to the commission concerning the operation of the departments, offices, and agencies of the unified government;
 - (6) Requiring any department, board, commission, or agency under the county manager's jurisdiction to submit written reports and to provide other information as deemed necessary;
 - (7) Prescribing, requiring, publishing, and implementing standards of administrative, management, and operating practices and procedures to be followed and adhered to by all offices, departments, boards, commissions, authorities, and other agencies of the unified government which are subject to the county manager's supervision and jurisdiction;
 - (8) Acting as the purchasing agent of the Milledgeville-Baldwin County Commission as provided for in Section 8-105 of this charter;
 - (9) Maintaining all required records of the operations and activities of the Milledgeville-Baldwin County Commission; and
 - (10) Developing and implementing an ongoing strategic plan for Milledgeville-Baldwin County, Georgia, and providing annual progress updates to the commission.
- (b) Except for the purpose of inquiry and investigation, the mayor and commission shall deal with employees of the unified government who are subject to appointment and removal by the county manager solely through the county manager and shall not give orders or directions to any such employee, either publicly or privately, directly or indirectly.
- (c) The county manager shall obtain the approval and authorization of the commission for all expenditures in excess of \$25,000.00 and all transfers of investments in excess of \$100,000.00.

SECTION 4-103.

County finance manager; appointment; qualifications; duties; compensation.

- (a) There shall be a professional finance manager who shall be known as the county finance manager of Milledgeville-Baldwin County, Georgia. The mayor shall recommend a candidate to the commission for the office of county finance manager. No person holding an elective office on the Milledgeville-Baldwin County Commission shall be eligible for this appointment until two years after leaving elective office. Such recommendation shall become effective when confirmed by a majority vote of the total membership of the commission. The county finance manager shall be prohibited from engaging in any political activity and shall not be eligible to qualify as a candidate for an

elective office in the Milledgeville-Baldwin County Commission for one year after leaving office. The county finance manager at any time may be removed from office by a majority vote of the total membership of the commission.

(b) Whenever the office of the county finance manager is vacant, the mayor may recommend a person to serve as acting county finance manager until a new county finance manager is appointed, subject to approval by a majority vote of the total membership of the commission and subject to reappointment thereafter. The acting county finance manager at any time may be removed by a majority vote of the total membership of the commission.

(c) The county finance manager need not be a resident of the county at the time of his or her appointment but shall establish residence therein within six months of such appointment and continue to reside therein throughout such appointment. The qualifications and compensation of the county finance manager shall be fixed by the commission.

SECTION 4-104.

Attorney; appointment; qualifications; duties; compensation.

(a) The mayor shall make nonbinding recommendations to the commission for the attorney of the unified government (referred to at times in this charter as the "attorney"). The recommendations shall become effective when confirmed by a majority vote of the total membership of the commission. The attorney shall serve at the pleasure of the mayor and may be removed from office by the mayor for cause with confirmation of the majority vote of the commission.

(b) The attorney shall be an active member of the State Bar of Georgia in good standing and shall satisfy any other qualifications established by ordinance.

(c) The attorney shall be the legal counsel to the unified government and shall perform such other duties as may be required by this charter or by ordinance.

(d) The compensation of the attorney shall be as prescribed by a duly adopted ordinance.

SECTION 4-105.

Auditor; appointment; qualifications; duties; compensation.

(a) There shall be an auditor who shall be known as the county auditor of Milledgeville-Baldwin County, Georgia. The mayor shall recommend a candidate to the commission for the office of county auditor. No person holding an elective office on the Milledgeville-Baldwin County Commission shall be eligible for this appointment until two years after leaving elective office. Such recommendation shall become effective when confirmed by a majority vote of the total membership of the commission. The county auditor shall be prohibited from engaging in any political activity and shall not be eligible to qualify as a candidate for an elective office in the Milledgeville-Baldwin County Commission for one year after leaving office. The county auditor at any time

may be removed from office by a majority vote of the total membership of the commission.

(b) Whenever the office of the county auditor is vacant, the mayor may recommend a person to serve as acting county auditor until a new county auditor is appointed, subject to approval by a majority vote of the total membership of the commission and subject to reappointment thereafter. The acting county auditor at any time may be removed by a majority vote of the total membership of the commission.

(c) The qualifications and compensation of the county finance manager shall be fixed by the commission.

SECTION 4-106.

Sheriff.

The sheriff of Baldwin County in office on the effective date of this charter shall be the sheriff of Milledgeville-Baldwin County, Georgia, and shall be the chief law enforcement officer for the unified government. The sheriff shall serve for the same term as provided by law, and the compensation shall be fixed as provided by law. Subsequent elections for sheriff shall be on the same basis as provided by law for the election of sheriffs generally. The sheriff shall have such other or different powers and duties as provided by the Constitution and laws of Georgia. The sheriff shall be authorized to shift funds within the categories budgeted for his or her office to meet the needs of the office. The sheriff shall meet with the mayor, vice mayor, county manager, and finance committee chairperson of the commission every six months to review the budget of the office of the sheriff.

SECTION 4-107.

Judge of the probate court.

The judge of the Probate Court of Baldwin County in office on the effective date of this charter shall be the judge of the Probate Court of Milledgeville-Baldwin County, Georgia. The judge of the probate court shall serve for the same term as provided by law, and the compensation shall be fixed as provided by law. Subsequent elections for the judge of the probate court shall be on the same basis as provided by law for the election of probate judges generally and shall be conducted nonpartisan. The judge of the probate court shall perform the same duties and exercise the same powers as conferred on probate judges generally by the Constitution and laws of Georgia.

SECTION 4-108.

Clerk of superior court.

The clerk of the Superior Court of Baldwin County in office on the effective date of this charter shall be the clerk of the Superior Court of Milledgeville-Baldwin County, Georgia. The clerk of superior court shall serve for the same term as provided by law,

and the compensation shall be fixed as provided by law. Subsequent elections for the clerk of superior court shall be on the same basis as provided by law for the election of clerks of superior court generally. The clerk of superior court shall perform the same duties and exercise the same powers as conferred on clerks of superior court generally by the Constitution and laws of Georgia.

SECTION 4-109.

Tax commissioner.

The tax commissioner of Baldwin County in office on the effective date of this charter shall be the tax commissioner of Milledgeville-Baldwin County, Georgia. The tax commissioner shall serve for the same term as provided by law, and the compensation shall be fixed as provided by law. Subsequent elections for tax commissioner shall be on the same basis as provided by law for the election of tax commissioners generally. The tax commissioner shall perform the same duties and exercise the same powers as conferred on tax commissioners generally by the Constitution and laws of Georgia.

SECTION 4-110.

Coroner.

The coroner of Baldwin County in office on the effective date of this charter shall be the coroner of Milledgeville-Baldwin County, Georgia. The coroner shall serve for the same term as provided by law, and compensation shall be fixed as provided by law. Subsequent elections for coroner shall be on the same basis as provided by law for the election of coroners generally. The coroner shall perform the same duties and exercise the same powers as conferred on coroners generally by the Constitution and laws of Georgia.

SECTION 4-111.

Clerk.

The clerk of the commission shall be responsible for:

- (1) Maintaining all required records of the operations and activities of the Milledgeville-Baldwin County Commission, including the minutes of all meetings of the Milledgeville-Baldwin County Commission;
- (2) Certifying ordinances upon adoption for presentation to the mayor for approval or veto and certifying as to the authenticity of ordinances which have become law;
- (3) Attesting the mayor's signature on deeds, contracts, agreements, and any other obligations on the part of government and the signature of any other officer pursuant to Section 7-501 of this charter on any such document;
- (4) Keeping and affixing the seal;
- (5) Providing administrative support to the commission, the mayor, and the county manager of Milledgeville-Baldwin County, Georgia; and

- (6) Carrying out such other duties as may be directed by the commission.

ADMINISTRATIVE AND SERVICE DEPARTMENTS

SECTION 4-201.

Creation and functions; generally.

Except as otherwise provided by this charter or by law, the administrative and service departments of the unified government shall be created and established by ordinance and shall perform such functions, duties, services, and responsibilities as enumerated in such ordinances and as prescribed by administrative regulations.

SECTION 4-202.

Administrative reorganization.

The commission may, by ordinance, reorganize, combine, consolidate, or discontinue any department or agency of the unified government subject to the jurisdiction of the commission and may, by ordinance, prescribe the functions and duties thereof and may establish, abolish, or alter any nonelective offices and positions of employment as necessary for the proper administration of the unified government.

SECTION 4-203.

Appointment of directors of departments.

All directors of departments under the supervision and direction of the Milledgeville-Baldwin county manager shall be appointed by the Milledgeville-Baldwin county manager. The directors of all such departments shall serve at the pleasure of the Milledgeville-Baldwin county manager.

SECTION 4-204.

Departments under state law.

- (a) All departments which are created pursuant to state or federal law and which administer various state and federal programs and services shall continue their operations without interruption resulting from the adoption of this charter.
- (b) For employees hired by the City of Milledgeville or Baldwin County after the approval of this charter by the electors voting in the referendum pursuant to Section 9-112 of this charter, whether to continue to offer a program of health care benefits, the nature and structure of such a program, the benefits provided in such a program, and the premiums to be paid by employees for their participation or the participation of their families or dependents, if offered, shall be subject to change from time to time in the sound discretion of the mayor and commission.

SECTION 4-301.

Certain commissions, boards, and authorities continued.

(a) All existing commissions, boards, and authorities are continued without interruption on the effective date of this charter. As used in the Acts and amendments creating the existing commissions, boards, and authorities, the terms "Milledgeville City Council" and "Baldwin County Board of Commissioners" shall mean the Board of Commissioners of Milledgeville-Baldwin County, Georgia, and the terms "mayor of the City of Milledgeville" and "Chairperson of the Baldwin County Board of Commissioners" shall mean the mayor of Milledgeville-Baldwin County, Georgia.

(b) The Board of Commissioners of Milledgeville-Baldwin County, Georgia, shall have the authority to examine all existing boards, commissions, and authorities of the former City of Milledgeville and Baldwin County for the purpose of determining whether any such boards, commissions, and authorities should be reorganized or reconstituted for the purpose of increasing their efficient operation; provided, however, that this authority shall not be construed to authorize the commission to affect any board, commission, and authority created by general law or by local constitutional amendment.

(c) The Georgia Military College Board of Trustees shall consist of the mayor and six members who shall be elected from the former City of Milledgeville city commission districts as such districts exist on the effective date of this charter within the urban services district (commonly referred to as the City of Milledgeville) and shall serve four-year terms as provided in Article 9 of Chapter 3 of Title 20 of the O.C.G.A. The qualifications for these positions shall be the same as those in place upon adoption of this charter.

SECTION 4-401.

Employees.

Employees who are terminated from their employment shall have the right to appeal such termination to the commission. Such appeal process shall be initiated by filing a written appeal with the mayor within seven days of termination. The mayor shall present the appeal to the commission for review, and the commission shall act upon such appeal within 30 days following the receipt of the written appeal by the mayor. Failure by the commission to act within 30 days shall result in the reinstatement of such employee.

ARTICLE V**JUDICIARY****SECTION 5-101.**

Superior court and district attorney; unaffected by charter; redesignation.

The Superior Court of Baldwin County, including the office of the district attorney, shall continue its operations without interruption resulting from the adoption of this charter,

and nothing herein shall be construed as affecting the status of such court. The court shall be known as the Superior Court of Milledgeville-Baldwin County, Georgia.

SECTION 5-102.

State court and solicitor-general; unaffected by charter; redesignation.

The State Court of Baldwin County, including the office of the solicitor-general, shall continue its operations without interruption resulting from the adoption of this charter, and nothing herein shall be construed as affecting the status of such court. The court shall be known as the State Court of Milledgeville-Baldwin County, Georgia.

SECTION 5-103.

Juvenile court; unaffected by charter; redesignation.

The Juvenile Court of Baldwin County shall continue its operations without interruption resulting from the adoption of this charter, and nothing herein shall be construed as affecting the status of such court. The court shall be known as the Juvenile Court of Milledgeville-Baldwin County, Georgia.

SECTION 5-104.

Probate court; unaffected by charter; redesignation.

The Probate Court of Baldwin County shall continue its operations without interruption resulting from the adoption of this charter, and nothing herein shall be construed as affecting the status of such court. The court shall be known as the Probate Court of Milledgeville-Baldwin County, Georgia.

SECTION 5-105.

Magistrate court; unaffected by charter; redesignation.

The Magistrate Court of Baldwin County shall continue its operations without interruption resulting from the adoption of this charter, and nothing herein shall be construed as affecting the status of such court. The court shall be known as the Magistrate Court of Milledgeville-Baldwin County, Georgia.

SECTION 5-106.

Municipal Court of the City of Milledgeville; abolishment of operations in the unified government:

Six months after the effective date of this charter, the Municipal Court of the City of Milledgeville shall stand abolished. Any cases pending before the municipal court on that date shall be transferred to the State Court of Milledgeville-Baldwin County, Georgia. Thereafter, all jurisdiction of the former Municipal Court of the City of

Milledgeville shall be transferred to either the Magistrate Court or the State Court of Milledgeville-Baldwin County, Georgia.

ARTICLE VI
ELECTIONS
SECTION 6-101.

Applicability of general laws.

Except as otherwise provided by this charter, general and special primaries and elections shall be conducted in accordance with provisions of Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code."

SECTION 6-102.

Regular election, time of holding; voting.

- (a) Except for the initial elections under this charter, regular elections for the unified government of Milledgeville-Baldwin County, Georgia, shall be held on the Tuesday after the first Monday in November in each even-numbered year.
- (b) Only the electors of each of the election districts defined in Section 6-201 of this charter shall be entitled to vote in the election for the commissioner to be elected from such district.

SECTION 6-103.

Special elections.

All special elections shall be held and conducted in accordance with applicable provisions of Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code."

SECTION 6-201.

Number of districts; boundaries.

The territory of Milledgeville-Baldwin County, Georgia, shall consist of five single member election districts to be designated respectively as Commissioner Districts 1 through 5 as provided in Section 2-101 of this charter. The mayor and vice mayor of Milledgeville-Baldwin County shall be elected at large.

SECTION 6-202.

Reapportionment of election districts.

- (a) The election district boundaries of Milledgeville-Baldwin County, Georgia, shall be reapportioned following the publication of each official federal decennial census of the population of Milledgeville-Baldwin County, Georgia.

(b) The reapportionment of election districts shall comply with the following specifications:

(1) The county shall be divided into five districts to as closely as possible reflect the population of Milledgeville-Baldwin County; and

(2) The Milledgeville-Baldwin County Unified Government shall rely upon the Legislative and Congressional Reapportionment Office of the General Assembly of the State of Georgia to draw those districts that reflect the goal of the unified government.

(c) Any reapportionment of election districts shall apply to officials of the unified government elected at the next regular election following such reapportionment; provided, however, any reapportionment ordinance shall not apply.

SECTION 6-301.

Special election of first officials.

(a) If the referendum for the approval of the unification of the governments of the City of Milledgeville and Baldwin County is held in July, 2015, then the initial election for members of the Milledgeville-Baldwin County governing authority shall be held on the Tuesday immediately following the first Monday in November, 2015. Otherwise, the initial election for members of the Milledgeville-Baldwin County governing authority shall be held on the date of the 2016 presidential preference primary. The superintendent of elections for Baldwin County shall publish notice of the initial election of members of the unified government in the legal organ of Milledgeville-Baldwin County once a week for four weeks immediately preceding the election.

(b) In all other respects, the election shall be held in accordance with the provisions of Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code."

(c) The qualifications for office for such initial election shall be as prescribed by applicable provisions of this charter.

(d) Any elected official of Milledgeville-Baldwin County or of any municipality who is otherwise qualified under this charter shall be entitled to qualify and run for an office of the unified government.

SECTION 6-302.

Initial terms of office.

If elected in November, 2015, the initial terms of the mayor, vice mayor, and commissioners of the unified government shall be from July 1, 2016, until December 31, 2018, and until their respective successors are elected and qualified. If elected in 2016, the initial terms of the mayor, vice mayor, and commissioners of the unified government shall be from January 1, 2017, until December 31, 2020, and until their respective successors are elected and qualified. After the initial elections, all commissioners shall be elected for four-year terms and until their respective successors are elected and qualified.

ARTICLE VII
REVENUE AND FINANCE
SECTION 7-101.

Taxation and other revenues; levies and collection of
taxes, fees, charges, and assessments; appropriations.

(a) For the purpose of raising revenue for the support and maintenance of the government of Milledgeville-Baldwin County, Georgia, the commission shall have full power and authority to levy and collect taxes to the extent hereinafter provided and to appropriate funds and expend money:

(1) For the purposes authorized by this charter;

(2) For the discharge of the powers, duties, obligations, liabilities, and functions specified in this charter;

(3) For any and all purposes and any and all subjects of taxation for which the City of Milledgeville or Baldwin County may have been authorized and in accordance with those authorizations to levy and collect taxes and to appropriate and expend funds under the Constitution or any general or special law of Georgia applicable to the City of Milledgeville or Baldwin County on the effective date of this charter; and

(4) For any purpose authorized by the Constitution or any general or special law of Georgia applicable to municipal corporations and counties generally now in force or hereafter enacted.

(b) The commission shall have full power and authority to levy and collect the following taxes, charges, and assessments:

(1) Ad valorem taxes on all real and personal property situated within Milledgeville-Baldwin County, Georgia, which is subject to taxation for state, county, and municipal purposes, or for any other public purpose, to the full extent permitted by the Constitution and laws of Georgia, whether local (of the City of Milledgeville or Baldwin County) or general;

(2) Occupation and business license taxes that are not prohibited by the Constitution and general laws of Georgia which may be levied upon any person, firm, partnership, company, or corporation which has a location or office within Milledgeville-Baldwin County, Georgia, at which a business, profession, or occupation is conducted;

(3) Subject to the restrictions imposed by general law, the commission may also impose a regulatory fee, whether designated as a license fee or permit fee or other name, on those businesses, professions, or occupations that the unified government of Milledgeville-Baldwin County, Georgia regulates;

(4) An excise tax on rooms, lodgings, or accommodations as now or hereafter provided by law for counties and municipalities;

(5) License fees and taxes on insurance companies as authorized by Code Sections 33-8-8 through 33-8-8.6 of the O.C.G.A.;

(6) A public utility franchise tax, fee, or both on each electric light and power company, gas company, telephone and telegraph company, and other public utility

making use of the roads, streets, alleys, or other public ways of Milledgeville-Baldwin County, Georgia;

(7) Franchise fees on cable television systems as now or hereafter provided by law; provided, however, that, upon the completion of transition activities funded by the franchise fees collected from the unincorporated area of Milledgeville-Baldwin County, these franchise fees may be used to reasonably reduce taxes in the services districts;

(8) Fees, assessments, and charges for the cost of constructing, reconstructing, widening, or improving any public way, street, sidewalk, curbing, gutters, storm sewers, drainage structures, or other utility mains and appurtenances from the abutting property owners under any terms and conditions as provided by ordinance;

(9) Fees, assessments, charges, and tolls for sanitary and health services or any other services rendered within and without the limits of the unified government under such terms and conditions as provided by ordinance;

(10) All other such taxes, charges, or assessments as the City of Milledgeville or Baldwin County were authorized and empowered to make and collect upon the effective date of this charter, which powers may be exercised throughout the area of the unified government, or appropriate portions thereof, including any tax now or hereafter authorized by state law, and the specific mention of any right, power, or authority in this charter shall not be construed as limiting in any way the general powers of the commission to govern its local affairs. When authorized by this charter or a statute or the Constitution of the State of Georgia, the commission shall have full power and authority to assess, levy, charge, and collect taxes, rentals, interest, fees, penalties, fines, and costs; to receive income on investments; to accept funds, services, or property from other political subdivisions and public agencies, either local, state, or national, and from private persons, firms, or corporations; and to contract with them for any public purpose;

(11) An excise tax upon the sale of distilled spirits or alcoholic beverages for beverage purposes by the drink as now or hereafter provided by law for counties and municipalities;

(12) An excise tax upon the sale, transfer, or dispensing of malt beverages and alcoholic beverages within Milledgeville-Baldwin County, Georgia, by wholesale or retail dealers as now or hereafter provided by law for counties and municipalities. In addition, the Commission shall have the authority to impose, assess, levy, and collect an excise tax upon the sale, transfer, or dispensing of wine by wholesale or retail dealers within Milledgeville-Baldwin County, Georgia, as now or hereafter provided by law for counties and municipalities;

(13) One mill of taxes shall be collected from the urban services district for Georgia Military College as is presently provided by law; and

(14) Such other taxes and charges as provided by law.

(c) Not later than the beginning of its eighth year of operation, the commission shall create and fully fund and maintain an emergency fund in an amount equal to one mill of taxes for the immediately preceding fiscal year. Funds in such account may only be used

in the event of a fiscal emergency, as determined to exist by an affirmative vote of five or more members of the commission. In such event, the funds may be used to deal with such fiscal emergency, but such fund shall be replenished as soon as practicable and reasonable.

(d) The commission shall create and maintain an unassigned fund balance equal to one-sixth of the preceding audited fiscal year's total general fund operating expenses. This minimum balance shall be established not later than the beginning of the eighth year of operation of the unified government. The adopted budget for each fiscal year shall not appropriate unassigned general funds which would cause this minimum balance to fall below an amount equal to one-sixth of the preceding audited fiscal year's total general fund operating expenses. In the event of a fiscal emergency, as determined by an affirmative vote of five or more members of the commission, the budget may be amended to temporarily utilize such unassigned general fund balance.

SECTION 7-102.

Collection of delinquent taxes and fees.

The collection of delinquent taxes and fees shall be as provided by state law for the collection of delinquent property taxes by counties.

SECTION 7-103.

Homestead exemptions.

The homestead exemptions provided under the Constitution and laws of Georgia presently in force or as hereafter amended shall be applicable to all such property subject to ad valorem taxes within Milledgeville-Baldwin County, Georgia.

SECTION 7-104.

Tax and services districts; taxation therein.

(a) The general services district as defined and authorized in paragraph (1) of subsection (a) of Section 7-301 of this charter shall constitute a general services tax district wherein the commission shall levy and collect taxes and shall appropriate money to perform and discharge those powers, functions, and services provided therein by the unified government of Milledgeville-Baldwin County, Georgia.

(b) The urban services district as authorized in paragraph (2) of subsection (a) of Section 7-301 of this charter, together with any enlargement or modification thereof pursuant to the provisions of this charter, shall constitute an urban tax district, as the case may be, wherein the commission may levy and collect additional taxes and may appropriate additional money therefrom to perform and discharge those additional powers, functions, and additional services provided therein by the unified government of Milledgeville-Baldwin County, Georgia.

(c) The assessment of real and personal property for ad valorem tax purposes shall be upon a uniform basis throughout the entire area of the unified government; provided, however, that the rate and manner of additional taxation of services districts may vary in any services tax district from that in another or other services tax districts in such a way as to reflect reasonably the kind, character, type, degree, and level of services afforded to such services tax district or districts.

BORROWING AND INDEBTEDNESS

SECTION 7-201.

Issuance of general obligation bonds.

(a) The commission shall be authorized to issue and sell general obligation bonds, after approval of the qualified voters, under the provisions of the Constitution and general laws of Georgia for any public purpose for the benefit of the unified government or any tax area or services district thereof; provided, however, that for the purpose of issuing and selling such general obligation bonds, the unified government of Milledgeville-Baldwin County, Georgia, shall be deemed a county, and the provisions of the Constitution and laws of Georgia governing the limitations, terms, and procedures for the issuance and sale of bonds by counties shall apply to the unified government unless otherwise provided by this charter.

(b) All general obligation bonds shall be issued in the name of Milledgeville-Baldwin County, Georgia, and shall be an obligation thereof, and the full faith and credit of the unified government of Milledgeville-Baldwin County, Georgia, shall be pledged for all general obligation bonds issued thereunder which are payable from ad valorem taxes, and, for such purpose, the commission shall have the authority to levy and collect ad valorem taxes without limit as to rate or amount on all taxable property within the territorial limits of the unified government.

SECTION 7-202.

Debt limitation; general obligation bonds.

The total general obligation bond indebtedness of the unified government of Milledgeville-Baldwin County, Georgia, payable from ad valorem taxes, including all outstanding general obligation bonds of the former City of Milledgeville and Baldwin County on the effective date of this charter, shall not exceed 10 percent of the assessed value of all taxable property within the territorial limits of the unified government.

SECTION 7-203.

Revenue bonds.

The commission shall be empowered and authorized to issue revenue bonds for the purposes and in the manner as now or hereafter provided by Article 3 of Chapter 82 of Title 36 of the O.C.G.A., the "Revenue Bond Law."

SECTION 7-204.

Use of bond proceeds.

All revenue derived by Milledgeville-Baldwin County, Georgia, from the issuance and sale of bonds shall be used exclusively for the purposes for which such bonds were issued, and all ad valorem taxes collected for the purpose of servicing or retiring such bonds shall be used exclusively for the payment of principal and interest thereof.

SECTION 7-205.

Allocation of indebtedness.

(a) All general indebtedness of Baldwin County, whether represented by general obligation bonds or otherwise, which may be outstanding upon the effective date of this charter, shall be allocated to the general services area as defined in paragraph (1) of subsection (a) of Section 7-301 of this charter, and is hereby recognized as the obligation of the general services district of Milledgeville-Baldwin County, Georgia. All general indebtedness of the City of Milledgeville, whether represented by general obligation bonds or otherwise which may be outstanding upon the effective date of this charter, shall be allocated to the urban services area as defined in paragraph (2) of subsection (a) of Section 7-301 of this charter. The commission is hereby authorized to levy taxes and otherwise provide for the retirement thereof, subject to the terms of this charter. Any funds in the control of the previously existing City of Milledgeville and Baldwin County, now consolidated into Milledgeville-Baldwin County, Georgia, by this charter, which had been allocated to the retirement of any bonded indebtedness of such municipality and county shall be so applied by the commission.

(b) All general obligation bonds issued prior to the effective date of this charter by Baldwin County and all bonds authorized but unissued by Baldwin County on the effective date of this charter and thereafter issued by Milledgeville-Baldwin County, Georgia, shall be allocated to the general services district, and the principal of and interest on such bonds shall be paid from ad valorem taxes or other revenues collected in the general services district. All general obligation bonds issued prior to the effective date of this charter by the City of Milledgeville and all bonds authorized but unissued by the City of Milledgeville on the effective date of this charter and thereafter issued by Milledgeville-Baldwin County, Georgia, shall be allocated to the urban services district, and the principal and interest on such bonds shall be paid from ad valorem taxes or other revenues collected in the urban services district.

(c) Any revenue bonds issued prior to the effective date of this charter by the City of Milledgeville or Baldwin County under Article 3 of Chapter 82 of Title 36 of the O.C.G.A., the "Revenue Bond Law," and any such revenue bonds authorized but unissued by the said city or county on the effective date of this charter and thereafter issued by Milledgeville-Baldwin County, Georgia, shall be payable as to principal and interest from the revenues or sources and in the manner provided in the proceedings which authorized the issuance of such revenue bonds.

(d) Neither the allocation of bonds to the general services district nor any of the other provisions of this charter shall impair or diminish any of the rights, revenues, or security and source for payment of any of such bonds or revenue bonds issued by the City of Milledgeville or by Baldwin County prior to the effective date of this charter, or authorized but unissued by the City of Milledgeville or by Baldwin County on the effective date of this charter and thereafter issued by Milledgeville-Baldwin County, Georgia; and such holders of such bonds or revenue bonds shall have and be entitled to enforce any and all rights, remedies, and security and sources for payment granted such holders by the proceedings which authorized the issuance of such bonds or revenue bonds as fully and to the same extent as if this charter had not been adopted.

SECTION 7-301.

Financing of services; general and urban services districts.

- (a) In Milledgeville-Baldwin County, Georgia, there shall be:
- (1) A general services district which shall consist of the total area of Baldwin County as fixed and established upon the effective date of this charter or as hereafter modified according to law;
 - (2) An urban services district which shall consist of the area embraced within the corporate limits of the City of Milledgeville as the same exists upon the day immediately preceding the effective date of this charter or as such area may be hereafter expanded as herein provided; and
 - (3) Such special services districts as the commission may hereafter establish.
- (b) All other tax districts existing in the City of Milledgeville or Baldwin County immediately prior to the effective date of this charter shall be continued in effect by this charter.
- (c) Such services districts shall be tax districts wherein taxes and other assessments shall be assessed, levied, and collected by the unified government in accordance with the kind, character, type, and degree of services actually provided therein and may vary in any one services district from that of another or other areas in accordance with the provisions of this charter. The powers, authority, duties, liabilities, services, and functions of Milledgeville-Baldwin County, Georgia, may vary in any services district from that in another or other services district.
- (d) The unified government is hereby empowered to exercise and provide within the general services district and within any urban services district established by this charter or by ordinance of the commission those powers, functions, and services which have theretofore been exercised and provided by Baldwin County or the City of Milledgeville, or both; all powers, functions, and services authorized by this charter, and any amendments thereto; and all powers, functions, and services which counties and municipal corporations, or both, are now or hereafter authorized to exercise under the Constitution and laws of Georgia.
- (e) The unified government shall perform or procure the performance within the general services district of those governmental duties, functions, and services which are generally

available and accessible to all residents throughout the total territory of Milledgeville-Baldwin County, Georgia.

(f) The unified government shall perform within its urban services districts those additional, more comprehensive and intensive, and higher levels of governmental duties, functions, and services which benefit primarily the residents of such urban services districts.

SECTION 7-302.

Creation of services districts by ordinance.

Except as otherwise provided by this charter, services districts of the unified government shall be created, expanded, merged, unified, or reduced only by ordinance duly adopted by the commission under such general rules, procedures, regulations, requirements, and specifications as are established by the commission and this charter. Such rules and regulations shall set forth the manner and method for the creation of new services districts and the expansion, unification, reduction, or merger of existing services districts; set forth requirements for defining functions and policies for rendering services, for changing levels of services within existing services districts, and for transferring territory from one services district to another; and set forth requirements for defining boundaries of services districts.

SECTION 7-303.

Requirements for defining boundaries.

Whenever in this charter it is required that the boundaries of a services district be set out, it shall suffice if the boundaries are described in such a way as to convey an intelligent understanding of the location of the land. In the discretion of the commission, the boundaries may be described:

- (1) By reference to a map;
- (2) By metes and bounds;
- (3) By general description referring to roads or natural boundaries or to the boundaries of particular tracts or parcels of land; or
- (4) By any combination of the above methods.

SECTION 7-304.

Notice of hearing prior to adoption of ordinance.

Before adopting any ordinance authorized or described in Sections 7-301 through 7-303 of this charter, the commission shall give notice of its intention to consider the ordinance and shall provide an opportunity for interested persons to be heard as is provided for in subsection (d) of Section 1-105 of this charter.

SECTION 7-401.

Financial administration; fiscal year.

If the initial members of the governing authority are elected in November, 2015, the initial fiscal year of Milledgeville-Baldwin County, Georgia, shall begin on July 1, 2016, and shall end on June 30, 2017. If the initial members of the governing authority are elected in 2016, the initial fiscal year of Milledgeville-Baldwin County, Georgia, shall begin on January 1, 2017, and shall end on June 30, 2017. Subsequent fiscal years shall begin on July 1 and end on the following June 30. The fiscal year shall constitute the budget year and the year for financial accounting and reporting of each and every office, department, institution, agency, and activity of the unified government, unless otherwise provided by state or federal law. The commission may adopt a different fiscal year by ordinance, which shall not be effective until at least six months after the date of adoption thereof.

SECTION 7-402.

Preparation of budgets.

The preparation of an annual budget shall be as prescribed by ordinance and provisions of this charter. In addition, the unified government of Milledgeville-Baldwin County, Georgia, may adopt budgets as are permitted by general law, including, but not limited to, project budgets for major capital projects and fund budgets.

SECTION 7-403.

Scope of budgets.

- (a) The annual budget shall apply to the operating and capital improvement expenses of the unified government.
- (b) The annual operating budget shall contain funds of the government of Milledgeville-Baldwin County, Georgia, to which they are applicable:
 - (1) A reasonable estimate of cash revenues to be received during the ensuing year, classified according to source;
 - (2) Proposed expenditures detailed by each department, commission, board, office, agency, and activity in accordance with an established classification of accounts, including those capital outlays which are to be financed from the revenues of the ensuing year and including all debt service requirements in full for such fiscal year; and
 - (3) Such other information as may be considered necessary or desirable by the mayor or the commission.
- (c) In no event shall the total proposed expenditures from any fund exceed the total anticipated revenues plus the estimated unappropriated surplus or fund balance and applicable reserves less any estimated deficit at the end of the current fiscal year.

SECTION 7-404.

Submission of budgets to the commissioners.

- (a) In advance of initiating preparations of the annual budget, the mayor, with participation of the commission, shall develop a statement of the general fiscal policies of Milledgeville-Baldwin County, Georgia; the important features of the budget; explanations of major changes recommended for the next fiscal year; a general summary of the budget; and such other comments and information as may be deemed pertinent.
- (b) On or before a date fixed by the commission but not later than 60 days prior to the beginning of each fiscal year, the Milledgeville-Baldwin County, Georgia, county manager in consultation with the department heads shall prepare an operating budget to submit to the mayor.
- (c) The mayor shall submit to the commission a proposed operating budget for the ensuing fiscal year. The budget shall be accompanied by a message from the mayor containing a statement of the general fiscal policies of Milledgeville-Baldwin County, Georgia; the important features of the budget; explanations of major changes recommended for the next fiscal year; a general summary of the budget; and such other comments and information as may be deemed pertinent. A summary of the budget and the mayor's message shall be published in a newspaper of general circulation designated as the legal organ of the unified government. The operating budget, the budget message, and all supporting schedules shall be filed in the Milledgeville-Baldwin County, Georgia, county manager's office and shall be open to public inspection.

SECTION 7-405.

Adoption of budgets.

- (a) The commission shall approve, reject, or amend the proposed balanced operating budget. The budget as finally adopted shall provide for all expenditures required by law or by other provisions of this charter and for all debt service requirements for the ensuing fiscal year. The total appropriations from any fund shall not exceed the estimated fund balance, reserves, and revenues constituting the resources available of such fund.
- (b) The commission shall adopt the final annual operating budget for the ensuing fiscal year not later than the 30th day of June of each year, and such budget shall be effective for the fiscal year beginning on the first day of July. In the event the commission fails to adopt the budget by such date, the amounts appropriated for current operation for the current fiscal year shall be deemed adopted for the ensuing fiscal year, with appropriate items prorated accordingly, until such time as the commission shall adopt a budget for the ensuing fiscal year. Adoption of the annual operating budget shall take the form of an appropriation ordinance setting out estimated revenues in detail by source and making appropriations accordingly to fund organizational units, purposes, or activities as set forth in the budget document.
- (c) The amount set out in the adopted operating budget for each organizational unit, purpose, or activity shall constitute the annual appropriation for such item, and no

expenditure shall be made or encumbrance created in excess of the otherwise unencumbered balance of the appropriation, or allotment thereof, to which it is chargeable.

(d) The commission shall adopt by ordinance the capital improvements program and capital budget for the ensuing fiscal year not later than the 30th day of June of each year. The capital budget ordinance shall show in detail the capital expenditures intended to be made or incurred in the ensuing fiscal year that are to be financed from funds subject to control or appropriation by the commission and shall be in full conformity with that part of the capital program applicable to the year which it covers. Amounts specified as intended to be spent out of new appropriations shall, upon enactment of the capital budget ordinance, constitute appropriations of such amounts.

SECTION 7-406.

Property tax levies.

Following the adoption of the operating and capital improvements budgets for each fiscal year, the commission shall levy by ordinance a general services district tax on all real and personal property within the general services tax district as provided by this charter. The tax rate set by such ordinance shall be such that a reasonable estimate of cash revenues from such levy shall be at least sufficient, together with other anticipated revenues, fund balances, and applicable reserves, to equal the total amount appropriated for each of the several funds set forth in the annual operating budget for defraying the expenses of the general services district for services to be rendered throughout the entire area of Milledgeville-Baldwin County, Georgia. Such services shall include those functions set forth in subsections (c) and (d) of Section 7-301 of this charter, and such other purposes, functions, and services as may be authorized by the laws of Georgia, by this charter, or by ordinance of the commission. The commission shall levy by ordinance a special services district tax on all real and personal property within any special services tax district as authorized by this charter. The tax rates set by such ordinance for each district shall be such that a reasonable estimate of cash revenues from such levy shall be at least sufficient, together with other anticipated revenues, fund balances, and applicable reserves, to equal the total amount appropriated for each of the several funds set forth in the annual operating budget for defraying the expenses of a higher level of services to be rendered in a special services district.

SECTION 7-407.

Limitation of funds.

Upon certification by the Milledgeville-Baldwin County, Georgia, county manager that the revenues or other resources actually realized with respect to any fund will be less than was anticipated and will be insufficient to meet the amounts appropriated from such fund, it shall be the duty of the Milledgeville-Baldwin County, Georgia, county manager upon the instruction of the mayor of the unified government to limit such appropriations or to

transfer other available funds between departments as may be necessary to prevent deficit operation.

SECTION 7-408.

Transfer of funds.

Upon recommendation of the Milledgeville-Baldwin County, Georgia, county manager and approval of a majority vote of the commission, the commission may make interfund or interdepartmental transfers in the current operating budget or capital improvements budget at any regular or special meeting called for such purpose, provided funds are also available.

SECTION 7-409.

Lapse of appropriations.

All unencumbered balances of appropriations in the current operating budget at the end of the fiscal year shall lapse into the unappropriated surplus or reserves of the fund or funds from which such appropriations were made.

SECTION 7-410.

Continuing audit.

The auditor shall conduct a continuing internal audit of the fiscal affairs and operations of every department, office, and agency of the unified government.

SECTION 7-411.

Post-audit.

(a) The commission shall provide annually for an independent audit of the accounts and other evidences of financial transactions of the government of Milledgeville-Baldwin County, Georgia, and of every office, department, board, commission, authority, or other agency. The audit shall be made by a certified public accountant who shall have no personal interest, direct or indirect, in the fiscal affairs of Milledgeville-Baldwin County, Georgia, or of any of its departments, boards, offices, commissions, authorities, or agencies. The commission shall by competitive bids, taking into consideration the most responsive and reasonable bid, designate such accountant or firm annually or for a period not exceeding three years.

(b) The audit may be conducted on a quarterly or continuing basis, and the final report of the annual audit shall be completed as soon as practicable after the close of the fiscal year, and in no event later than six months after the close of the fiscal year. The audit report shall be filed with the Milledgeville-Baldwin County, Georgia, county manager and made available to the public.

(c) The commission may at any time order an examination or special audit of any office, department, board, commission, or other agency of Milledgeville-Baldwin County, Georgia.

PROCUREMENT AND DISPOSITION OF PROPERTY

SECTION 7-501.

Contracting procedures.

The commission shall prescribe by ordinance rules and regulations which shall be followed in the making of contracts in order to bind the government of Milledgeville-Baldwin County, Georgia. Except where otherwise provided by law or by ordinance, all contracts of the government of Milledgeville-Baldwin County, Georgia, shall be signed by the mayor and authenticated by the Milledgeville-Baldwin County, Georgia, county manager.

SECTION 7-502.

Sale and disposition of property.

(a) The commission is authorized to sell any real or personal property owned or held by Milledgeville-Baldwin County, Georgia, and not needed for governmental or other public purposes in such manner as is required in state law for counties, as provided for in Code Sections 36-9-2 and 36-9-3 of the O.C.G.A.

(b) Whenever in opening, extending, or widening any street, avenue, alley, or public place of Milledgeville-Baldwin County, Georgia, a small parcel or tract of land is cut off or separated by such work from a larger tract of land owned by Milledgeville-Baldwin County, Georgia, the commission may authorize the execution and deliverance in the name of the government of Milledgeville-Baldwin County, Georgia, of a deed conveying said cut-off or separated parcel or tract of land to an abutting or adjoining property owner or owners in exchange for rights of way in said street, avenue, alley, or public place, or in settlement of any alleged damages sustained by said abutting or adjoining property owner. All deeds and conveyances so executed and delivered shall convey all title and interest the unified government of Milledgeville-Baldwin County, Georgia, has in such property.

ARTICLE VIII

GENERAL PROVISIONS

SECTION 8-101.

Application of laws; laws in force.

(a) The general laws of the State of Georgia of a criminal nature shall be applicable to and within the limits of the unified government. General laws of local application through classification by population, not in conflict with this charter, which, on the effective date of this charter, apply to the City of Milledgeville or Baldwin County,

Georgia, shall be applicable to the unified government, and which apply to Milledgeville-Baldwin County, Georgia, as either a city or a county at the time of their enactment or thereafter shall be effective; provided, however, that those laws which did not apply to the City of Milledgeville or Baldwin County or the unified government at the time of their enactment shall not become applicable to the unified government except through the adoption of a resolution to that effect by the commission.

(b) Local Acts of the State of Georgia which apply specifically to either Baldwin County or the City of Milledgeville, or both, shall be applicable to the unified government.

(c) In construing the applicability of provisions of the Constitution and the general laws of Georgia which apply in general terms to either counties or municipalities, or both, and local Acts of the General Assembly that apply specifically to Baldwin County or the City of Milledgeville, or both, the following terms as used in such laws shall be construed to include the unified government as follows:

(1) "City," "town," "municipal corporation," or "municipality" shall be construed to include Milledgeville-Baldwin County, Georgia;

(2) "Council," "mayor," "mayor and council," "aldermen," and "commission of aldermen" shall be construed to include the Board of Commissioners of Milledgeville-Baldwin County, Georgia;

(3) "County" shall be construed to include Milledgeville-Baldwin County, Georgia;

(4) "Mayor" shall be construed to include the mayor of Milledgeville-Baldwin County, Georgia; and

(5) Any other terms and provisions as used in such Acts to refer specifically to Baldwin County or the City of Milledgeville, or both, and the officers, employees, departments, and agencies thereof shall be construed to mean Milledgeville-Baldwin County, Georgia, and its officers, employees, departments, and agencies.

SECTION 8-102.

Limitation on claims and service.

(a) All contractual claims against the unified government shall be presented within 12 months after they accrue or become payable or the same as claimed, unless held by minors or other persons laboring under disabilities, who are allowed 12 months after the removal of such disability.

(b) Service on the unified government of any suit, process, or order of court shall be served upon the mayor.

SECTION 8-103.

Competitive bidding.

(a) All departments and agencies of the unified government shall utilize competitive bidding procedures, as specified in an ordinance of the commission, for all purchases in excess of an amount provided for in an ordinance of the commission, unless such purchase shall be otherwise approved by four of the seven commissioners.

(b) A vendor located in Milledgeville-Baldwin County whose bid is within 20 percent of the lowest bidder on a purchase shall be given the opportunity to rebid and match the lowest bidder for such purchase if such bid meets all other stated criteria for such bid.

SECTION 8-104.

Execution of assessments.

Whenever any tax or special assessment is authorized or empowered to be levied or imposed by this charter which is required to be collected by the unified government and such is not paid within the time period specified by the commission and no specific provision is elsewhere provided in this charter for its collection, then the county manager shall issue execution in the name of Milledgeville-Baldwin County, Georgia, against such person, firm, or entity liable therefore or property subject thereto for such sums as may be due with interest at the legal rate from the due date, and penalties and costs. The unified government shall have the right to enforce payment of such execution by levy and sale as in the case of county taxes, and the purchaser at such sale shall acquire the same title and rights as a purchaser at a sale for county taxes. Executions issued by the county manager of Milledgeville-Baldwin County, Georgia, and the levy and sale thereunder shall be governed by general law.

SECTION 8-105.

Authority to deal with federal and state agencies.

The unified government of Milledgeville-Baldwin County, Georgia, shall have the power and authority to participate in, cooperate in, and take all necessary action with respect to any and all projects, programs, and undertakings of any nature authorized by any statute, rule, or regulation of the United States, the State of Georgia, or any federal or state agency or instrumentality, including, but not limited to, community development, highways, aviation, aviation terminals, airports, airport facilities, municipal area or regional development, sewer and sewage disposal, public housing, housing for the aged, and transportation or mass transit or any phase thereof; to borrow money and issue promissory notes, general obligation bonds, or revenue bonds or a combination thereof for any such purposes in accordance with provisions of this charter; and to execute mortgages or deeds of trust in favor of any federal agency, secured by property of which the unified government is the legal or beneficial or equitable owner, or in favor of any private agency where the loan is guaranteed by a federal agency.

SECTION 8-106.

Federal and state aid.

The unified government of Milledgeville-Baldwin County, Georgia, shall be deemed a county but shall also be deemed an incorporated city or municipality for the purpose of determining its right to receive and for the purpose of receiving state aid or grant-in-aid

from the State of Georgia or from the United States or from any agency or instrumentality thereof or from any other source, public or private. The unified government shall be entitled to receive as state aid or as grant-in-aid from the State of Georgia or from the United States or from any agency or instrumentality thereof or from any other source, public or private, all funds to which a county is, or may hereafter be, entitled, and also all funds to which an incorporated city or municipality is or may be hereafter entitled, and to receive the same without diminution or loss by reason of unification.

SECTION 8-107.

Budgets of county officers and agencies.

All elected officers and all agencies not under the direct control and jurisdiction of the county manager, such as the Board of Health and the Board of Family and Children Services, which receive appropriations from the commission, shall, on the same date as is applicable to budgets submitted by department heads, submit to the Milledgeville-Baldwin County, Georgia, county manager annual operating and capital budget requests for the ensuing fiscal year. Such budget requests, after any revisions therein by the Milledgeville-Baldwin County, Georgia, county manager and the Milledgeville-Baldwin County mayor, shall be incorporated into the overall unified government budget for submission by the Milledgeville-Baldwin County mayor to the commission, which shall grant a hearing to any such officer or agency on such proposed budgets.

SECTION 8-108.

Existing pension rights protected.

(a) Persons who, at the time this charter takes effect, are employed by any office, department, board, commission, or agency of the former City of Milledgeville shall retain all pension rights which have accrued to them under any existing pension system. Milledgeville-Baldwin County, Georgia, shall continue in force and effect any existing pension system for city employees covered thereby who are employed by the unified government, and the services of such employees shall not be deemed to have been interrupted by the adoption of this charter.

(b) Persons who, at the time this charter takes effect, are employed by any office, department, board, commission, or agency of the former Baldwin County shall retain all rights which have accrued to them under any existing pension system. Milledgeville-Baldwin County, Georgia, shall continue in force and effect any existing pension system for county employees covered thereby who are employed by the unified government, and the services of such employees shall not be deemed to have been interrupted by the adoption of this charter.

(c) No employee seniority, salary, or benefit shall be diminished or eliminated as a result of unification.

SECTION 8-109.

Establishment of new pension systems; merging of existing systems.

The commission is hereby authorized and empowered to establish and maintain a new pension system or pension systems or retirement plan or plans affecting new employees and such other employees as desire to be covered thereby and to revise, combine, and consolidate any pension system in effect on the effective date of this charter; provided, however, that in no event shall any revision, combination, or unification of any existing pension system in effect when this charter is adopted result in the curtailment or diminishment of any right accrued under any existing pension system to any person heretofore employed by the City of Milledgeville, Baldwin County, or of any agency of such former governments.

SECTION 8-110.

Amending charter.

This charter may be modified, rescinded, changed, or amended by only the following methods:

- (1) An Act of the General Assembly of Georgia; or
- (2) An ordinance adopted by the Board of Commissioners of Milledgeville-Baldwin County, Georgia, as provided for in Article IX, Section II, Paragraph I of the Constitution of the State of Georgia.

SECTION 8-111.

Fidelity bonds.

All officers of Milledgeville-Baldwin County, Georgia, both elected and appointed, shall execute such official bonds in such amounts and upon such terms and conditions as the law or the commission may require.

SECTION 8-112.

Examples of powers.

The powers of Milledgeville-Baldwin County, Georgia, shall include, but shall not be limited to, the following powers:

- (1) Ad valorem taxation: to levy, assess, and collect ad valorem taxes on all taxable property;
- (2) Other taxes: to levy, assess, and collect other taxes allowed by general law and in accordance therewith;
- (3) Business regulation and taxation: to levy, assess, and collect occupation taxes and to license and regulate occupations and businesses;
- (4) Appropriations: to make appropriations and expend funds for support of the unified government and any other lawful purpose;

- (5) Debts: to borrow money and issue bonds as authorized by general law;
- (6) Property: to own property and interests in property;
- (7) Gifts: to accept gifts and grants for any purpose related to the powers and duties of the unified government on such terms as the donor may impose;
- (8) Condemnation: to condemn property inside the unified government for present or future use;
- (9) Public utilities: to acquire, lease, operate, and dispose of public utilities;
- (10) Franchises: to grant franchises or make contracts for public utilities and to prescribe the conditions of such franchises and contracts;
- (11) Roadways: to open, maintain, improve, and close streets and roads and to grant franchises and rights of way thereon;
- (12) Public facilities: to acquire, operate, and dispose of public buildings, public projects, parks, cemeteries, recreational facilities, and other public improvements inside the unified government;
- (13) Building regulation: to regulate the building trades and the construction of buildings and to adopt and enforce building, housing, plumbing, electrical, gas, heating, and air conditioning codes;
- (14) Planning and zoning: to adopt land, use plans, and exercise the power of zoning, subdivision regulation, and the like;
- (15) Police power: to exercise the police power for the public safety and well-being of the citizens of the unified government;
- (16) Roadside regulation: to prohibit or regulate signs, billboards, and other items upon or adjacent to streets and roads;
- (17) Health: to prescribe and enforce health and sanitation standards;
- (18) Pollution: to regulate emissions which pollute the air and water;
- (19) Fire safety: to fix fire limits and to prescribe and enforce fire safety regulations;
- (20) Public hazards: to provide for the destruction or removal of public hazards;
- (21) Waste disposal: to provide for and regulate the collection, disposal, and recycling of garbage and wastes;
- (22) Water and sewer fees: to fix and collect water and sewer fees;
- (23) Garbage fees: to fix and collect garbage fees;
- (24) Nuisances: to define and provide for the abatement of nuisances;
- (25) Property protection: to preserve and protect the property of the unified government;
- (26) Prisoners: to provide for public work by prisoners and for their confinement;
- (27) Animal control: to regulate or prohibit the keeping of animals;
- (28) Motor vehicles: to regulate the operation and parking of motor vehicles;
- (29) Taxicabs: to regulate vehicles operated for hire in the unified government;
- (30) Pensions: to provide and maintain a system of pensions and retirement for employees and officers of the unified government;
- (31) Special assessments: to levy, assess, and collect special assessments to cover the cost of public improvements;
- (32) Contracts: to enter into lawful contracts and agreements;

- (33) Agencies: to create, alter, or abolish departments, boards, offices, commissions, authorities, and agencies of the unified government and to confer appropriate authority upon them;
- (34) Penalties: to provide penalties for violations of ordinances of the unified government;
- (35) Law enforcement and fire protection: to exercise the power of arrest through appointed deputies and to operate a fire department;
- (36) Emergencies: to provide for the determination, proclamation, and combating of emergencies;
- (37) Urban redevelopment: to organize and operate an urban redevelopment program;
- (38) Public transportation: to organize and operate public transportation programs; and
- (39) General health, safety, and welfare: to define, regulate, and prohibit any act, practice, conduct, or use of property which is detrimental to the health, sanitation, cleanliness, welfare, and safety of the inhabitants of the unified government.

SECTION 8-113.

Provision of services.

When determining services to be provided, the unified government of Milledgeville-Baldwin County, Georgia, shall always attempt:

- (1) To efficiently allocate resources to increase the quality of life for all citizens of Milledgeville-Baldwin County, Georgia;
- (2) To provide the highest quality services to all citizens of Milledgeville-Baldwin County, Georgia;
- (3) To ensure efficient utilization of community resources;
- (4) To promote equity for all citizens in the delivery of governmental services throughout Milledgeville-Baldwin County, Georgia; and
- (5) To recognize and consider the advantages of the provision of services through contractual arrangements with other governments and private enterprises.

SECTION 8-114.

Historic items.

It shall be the responsibility of the unified government to collect, preserve, and display documents and other items of historical significance to the City of Milledgeville, Baldwin County, and Milledgeville-Baldwin County, Georgia.

SECTION 8-115.

Section captions.

The captions to the several sections of this charter are informative only and are not to be construed as a part thereof.

SECTION 8-116.

Effect of repeals.

No law heretofore repealed, expressly or by implication, shall be revived by the repeal herein of the repealing Act or by any provision of this charter that disclaims an intention to repeal or affect enumerated laws.

SECTION 8-117.

Severability clause.

If any provision of this charter or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this charter which can be given effect without the invalid provision or application; and to this end, the provisions of this charter are declared to be severable.

ARTICLE IX**TRANSITION PROVISION****SECTION 9-101.**

Provision of services during transition.

In order to unify the two governments and to assure the common and continued administration of services currently provided by both the City of Milledgeville and Baldwin County, the following procedures shall apply:

- (1) On the effective date of the new unified government, all services currently provided by the county shall be provided through the general services district to all residents of the county, and all services provided by the city shall be provided through the urban services district to the current residents of the City of Milledgeville. Assuming the continued availability of state and federal funds, these services arrangements shall apply until modified as provided under the provisions cited below;
- (2) Within two years of the effective date of this charter, the unified government shall adopt a services delivery plan that includes, but is not limited to, the following:
 - (A) An administrative mechanism with appropriate status and adequate budget to develop and implement a comprehensive program of human and economic development which shall be responsible for identifying problems and needs that exist in the community and for identifying and securing resources needed to effectively address these problems and needs; and
 - (B) An administrative mechanism with appropriate status and adequate budget to develop and implement adequate parks and recreation programs that will be available to all citizens of Milledgeville-Baldwin County, Georgia; and
- (3) The unified government shall work with due speed to equalize the charges for all services throughout the county.

SECTION 9-102.

Protection and compensation of existing employees.

(a) All full-time employees of the City of Milledgeville and Baldwin County, Georgia, and all full-time employees of any department, office, or agency thereof shall, upon the termination of said city and county governments and the inception of the unified government, shall become employees of the unified government or of a department, office, or agency thereof and shall be assigned to duties as similar in nature as may be practicable within said unified government.

(b) No permanent full-time employee of the City of Milledgeville or Baldwin County shall lose employment or suffer any diminution of compensation resulting from the adoption of this charter. The definition of compensation includes, but is not limited to, salary, retirement benefits, and annual and sick leave. This provision shall not apply to any position which requires appointment by the mayor and confirmation by a majority of the commission under paragraph (2) of Section 3-105 of this charter.

(c) Within 12 months of the effective date of this charter, the unified government shall have begun implementation of a plan that ensures that all employees performing the same functions and having the same responsibilities receive uniform compensation by the end of the second year of operation of the unified government. This requirement that there be a uniform level of compensation throughout Milledgeville-Baldwin County, Georgia, by the end of the fourth year shall not require that there be any freeze on employee compensation.

(d) Elimination of the duplication of functions shall be addressed through attrition and reassignment. Therefore, no permanent full-time employee of the City of Milledgeville or Baldwin County, Georgia, at the time of unification shall suffer any diminution of compensation resulting from the adoption of this charter. This provision shall not apply to any position which requires appointment by the mayor and confirmation by a majority of the commission under paragraph (2) of Section 3-105 of this charter.

(e) All new employees hired by the governing authorities of Baldwin County and the City of Milledgeville following the ratification of this charter by the voters shall be deemed temporary employees until such employment is ratified by the unified government of Milledgeville-Baldwin County, Georgia.

SECTION 9-103.

Effective date of charter.

This charter shall become fully effective in accordance with Section 9-112 of this charter upon the election of a mayor, vice mayor, and board of commissioners for Milledgeville-Baldwin County, Georgia, and their taking office as the governing authority of the unified government.

SECTION 9-104.

Initial budget.

The first full 12 month budget of the unified government shall not exceed an amount equal to the combined fiscal year general operating budgets of the City of Milledgeville and Baldwin County from the immediately preceding fiscal year of the City of Milledgeville and Baldwin County, plus increases due to inflation as specified in the Consumer Price Index from the United States government, if approved, but not including capital road improvements and other special revenue funds under special purpose local option sales taxes or additional transfer tax fees.

SECTION 9-105.

Number of employees.

For a period of 24 months from the effective date of this charter, the total number of employees of Milledgeville-Baldwin County, Georgia, shall not exceed the combined number of employees authorized for the governments of the former City of Milledgeville and Baldwin County on the effective date of this charter except as otherwise mandated by law.

SECTION 9-106.

Cooperation of former governments.

(a) All officers, officials, and employees of the former City of Milledgeville and Baldwin County shall cooperate with and assist the mayor; the board of commissioners; the Milledgeville-Baldwin County, Georgia, county manager; and other officers of Milledgeville-Baldwin County, Georgia:

(1) In planning the unification of departments, boards, commissions, authorities, and agencies of such former governments and in transferring the functions, duties, and responsibilities of such departments, boards, commissions, authorities, and agencies to the appropriate agencies of the unified government of Milledgeville-Baldwin County, Georgia; and

(2) In all other respects in order that the merger of the governments be accomplished in the most orderly manner possible. The officers of the unified government shall be entitled to examine all records, files, and other data in the possession of the former governments and of all officers, officials, employees, and departments thereof. The former governments shall, to the extent possible, provide working areas and facilities for the officers of the unified government.

(b) During the time period beginning upon the ratification of this charter by the voters and extending until this charter becomes fully effective, it shall be illegal for any member of the governing authority of Baldwin County or the governing authority of the City of Milledgeville to violate the terms of this charter.

(c) During the time period beginning upon the ratification of this charter by the voters and extending until this charter becomes fully effective, the governing authority of the City of Milledgeville and the governing authority of Baldwin County shall not be

authorized to increase their respective budgets by more than 10 percent above the budget level existing on the date of the ratification of this charter by the voters.

SECTION 9-107.

Existing ordinances and resolutions continued in effect.

(a) Subject to subsection (d) of this section, existing ordinances and resolutions of the Board of Commissioners of Baldwin County and existing rules and regulations of county departments or agencies, not inconsistent with the provisions of this charter, shall continue in effect as ordinances, resolutions, rules, or regulations of Milledgeville-Baldwin County, Georgia, or the appropriate department or agency thereof until they have been repealed, modified, or amended.

(b) Subject to subsection (d) of this section, existing ordinances and resolutions of the City of Milledgeville, not inconsistent with the provisions of this charter, shall continue in effect as ordinances and resolutions of Milledgeville-Baldwin County, Georgia, and shall apply only to the area included within the urban services district until they have been repealed, modified, or amended.

(c) Subject to subsection (d) of this section, in the event of a conflict between any of the ordinances or resolutions continued by this section, the provisions thereof shall apply only to the territory of the unified government that such ordinance or resolution applied prior to the effective date of this charter and until such ordinance or resolution is repealed, changed, or amended to eliminate the conflict.

(d) Twenty-four months after the effective date of this charter, all ordinances and resolutions shall apply uniformly throughout the area of the unified government. Prior to this date, the commission shall review all ordinances and resolutions and take whatever action is needed to remove any conflicts between ordinances and resolutions continued by this section in order to produce a uniform body of ordinances and resolutions, free of any conflicts or contradictions between such provisions.

SECTION 9-108.

Contracts and obligations.

(a) Except as otherwise provided by this charter, all contracts, orders, leases, bonds, and other obligations or instruments entered into by Baldwin County or for its benefit prior to the effective date of this charter shall continue in effect according to the terms thereof as obligations and rights of the unified government; provided, however, that any obligation created by Baldwin County to become effective after the date of approval of this charter and prior to the effective date of this charter shall be subject to ratification and approval by the Board of Commissioners of Milledgeville-Baldwin County, Georgia, within six months following the effective date of this charter.

(b) Except as otherwise provided by this charter, contracts, orders, leases, bonds, and other obligations or instruments entered into by the City of Milledgeville or for its benefit prior to the effective date of this charter shall continue in effect according to the terms

thereof as obligations and rights of the unified government; provided, however, that any obligation created by the City of Milledgeville to become effective after the date of approval of this charter and prior to the effective date of this charter shall be subject to ratification and approval by the Board of Commissioners of Milledgeville-Baldwin County, Georgia, within six months following the effective date of this charter.

(c) No pending action or proceeding of any nature, whether civil, criminal, judicial, administrative, or other, by or against the City of Milledgeville or Baldwin County or an agency or department thereof, shall be abated or otherwise affected by the adoption of this charter, and Milledgeville-Baldwin County, Georgia, shall stand substituted as a party in lieu thereof.

SECTION 9-109.

Dissolution of existing governments.

On the effective date of this charter, the Board of Commissioners of Baldwin County and the mayor and council of the City of Milledgeville and all the officers thereof and the offices thereof not continued under this charter shall be repealed and abolished, and all emoluments appertaining thereto shall cease. Thereupon, the governments of Baldwin County and the City of Milledgeville shall terminate as separate political entities, and all powers, functions, duties, and obligations thereof shall be transferred to and vested in the unified government created by this charter.

SECTION 9-110.

Transfer of records and equipment.

When an agency of the City of Milledgeville or of Baldwin County is abolished or unified by this charter, all books, papers, maps, charts, plans, records, other equipment, and personal property in possession of such agency shall be delivered to the agency to which its rights, powers, duties, and obligations are transferred.

SECTION 9-111.

Officers serve until successors qualify.

Notwithstanding any other provision of this charter, any officer performing duties under the government of the City of Milledgeville or Baldwin County may continue to perform the duties thereof until a successor, whether under the same title or office of another, shall be elected or appointed and qualified to perform the duties, it being the intention hereof that no duty or service shall lapse or be abandoned because of lack of an officer to perform such duty or service.

SECTION 9-112.

Referendum on the charter.

(a) If it is permissible under Code Section 21-2-540 of the O.C.G.A. to conduct a special election to submit a referendum to the voters on the third Tuesday in July, 2015, it shall be the duty of the Baldwin County Board of Elections to call an election for approval or rejection of the proposed charter to be held on such date; otherwise, it shall be the duty of the Baldwin County Board of Elections to call an election for approval or rejection of the proposed charter to be held on the Tuesday immediately following the first Monday in November, 2015. The board shall cause the date and purpose of the election to be published once a week for two calendar weeks immediately preceding the date thereof in the official legal organ of Baldwin County. The ballot shall have written or printed thereon the following:

"() YES Shall the charter unifying the governments of the City of Milledgeville
() NO and Baldwin County and creating a single county-wide government to
supersede and replace those governments be approved?"

(b) All persons desiring to vote for approval of the charter shall vote "Yes," and those persons desiring to vote for rejection of the charter shall vote "No." If more than one-half of the votes cast by the qualified voters of Baldwin County residing within the corporate limits of the City of Milledgeville are for approval of the charter and if more than one-half of the total votes cast by all the qualified voters of Baldwin County are for approval of the charter, then the charter shall become effective for the purposes of electing the mayor and commission and for transition activities immediately and for all purposes on July 1, 2016, if the election is held in July, 2015, or on January 1, 2017, if the election is held on the Tuesday immediately following the first Monday in November, 2015. Otherwise, it shall be void and of no force and effect and shall stand repealed by operation of law. The expense of such election shall be borne equally by the City of Milledgeville and Baldwin County.

(c) The special election shall be conducted pursuant to Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code," except to the extent specifically provided otherwise by this charter.

(d) A qualified voter, as used herein, shall mean a voter of Baldwin County qualified to vote for members of the General Assembly of Georgia. The board shall certify the returns to the Secretary of State. The board shall also furnish a certified copy of the charter to the Secretary of State. The Secretary of State shall issue a proclamation showing and declaring the result of the election on the approval or rejection of the charter. One copy of the proclamation shall be attached to the copy of the charter certified to the Secretary of State. One copy of the proclamation shall be delivered to the clerk of the governing authority of the City of Milledgeville who shall attach the same to the copy of the charter previously certified to him or her. One copy of the proclamation shall be delivered to the clerk of the governing authority of Baldwin County who shall attach the same to the copy of the charter previously certified to him or her.

(e) Whenever a charter for the unification of the governments of the City of Milledgeville and Baldwin County has been accepted, the certified copies thereof as provided for in this section, with the proclamation of the Secretary of State of Georgia

attached thereto, shall be deemed duplicate original copies of the charter of the unified government for all purposes. The certified copy of the charter and proclamation deposited with the clerk of the governing authority of the City of Milledgeville and the certified copy of the charter and proclamation deposited with the clerk of the governing authority of Baldwin County shall subsequently be delivered by them to the successor government. The successor government may issue certified copies of the charter, and any copy so certified shall be deemed a duplicate original copy of the charter of the unified government for all purposes. The Secretary of State is authorized to issue certified copies of the charter on file, and copies so certified shall be deemed duplicate original copies of the charter of the unified government for all purposes.

(f) Upon the approval of this charter, a transition team shall be established and initially composed of two members appointed by the member of the Senate who represents Baldwin County, two members appointed by the member of the House of Representatives who represents Baldwin County, the mayor of the City of Milledgeville, and the chairperson of the Board of Commissioners of Baldwin County. Upon their election, the members of the Milledgeville-Baldwin County unified government shall become members of the transition team. In the event that one or more newly elected members are already serving on the transition team, no additional member shall be added to replace such person.

(g) Funding for transition activities shall come from the additional franchise fees that will become available from the unincorporated areas of Baldwin County upon adoption of the unified charter.

(h) The transition team may make recommendations for revisions of the charter through the state legislative process prior to the actual implementation of the charter.

(i) The following shall be the transition operational timeline:

2015 The charter shall be submitted to the General Assembly requesting that local legislation allowing a vote on the Milledgeville-Baldwin County Unified Government Charter take place in July, 2015, if permissible under Code Section 21-2-540, or in conjunction with the November, 2015, municipal general election. If the referendum is approved in July, 2015, elect commissioners for the Milledgeville-Baldwin County Unified Government in November, 2015.

2016 Merge all city and county departments and request the General Assembly to enact local legislation authorizing the formation of a Milledgeville-Baldwin County Water and Sewer Authority. If the referendum on the approval of the charter is held in conjunction with the 2015 November municipal general election, elect mayor, vice mayor, and commissioners for the Milledgeville-Baldwin County Unified Government at the 2016 presidential preference primary. If the mayor, vice mayor, and commissioners were elected in November, 2015, the unified government shall begin on July 1, 2016.

2017 If the mayor, vice mayor, and commissioners are elected at the 2016 presidential preference primary, then the unified government shall begin on January 1, 2017. All remaining departments and offices of the Baldwin County

government and the City of Milledgeville government shall be merged as soon as practicable following the initiation of the new unified government.

ARTICLE X
REPEALS
SECTION 10-101.
Specific repeals.

(a) Upon this charter becoming fully effective, an Act providing for a new charter for the City of Milledgeville, approved December 15, 1900 (Ga. L. 1900, p. 345), and all amendatory Acts thereto, is repealed.

(b) Upon this charter becoming fully effective, an Act creating the Board of Commissioners of Baldwin County, approved December 26, 1888 (Ga. L. 1888, p. 286), and all amendatory Acts thereto, is repealed.

SECTION 10-102.
Repeal of conflicting laws.

All laws and parts of laws in conflict with this charter are hereby repealed.

Plan: MillBaldCC-2015

Plan Type: Local

Administrator: H145

User: Gina

District 001

Baldwin County

VTD: 009319 - WEST BALDWIN

970500:

3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011
3012 3013 3014 3015 3016 3017 3018 3019 3020 3021 3022 3023
3024 3025 3026 3027 3040 3042 3050 3051 3052 3053 3054 3055
3056 3057 3058 3059 3060 3061 3062 3063 3064 3065 3066 3067
3068 3069 3070 3071 3072 3073 3074

970800:

2000 2002 2003 4000 4001 4002 4003 4004 4005 4006 4008 4009
4010 4011 4012 4013

VTD: 009CTY1 - SOUTH MILLEDGEVILLE

970300:

2004 2006 2007 2009 2010 2012 2013 2014 2016 2017 2021 2027
2028 2029 2046 2071 2072 2073 2077 2079 2081 2086 2089

970400:

2003 2009 2011 2012 2013 2014 2021 2022 2024 3017 3021 3024

3025 3033 3034

970500:

3028 3034 3036 3041 3043

VTD: 009CTY3 - BODDIE

970400:

3000 3001 3002 3004 3035 3036

VTD: 009CTY5 - FIRE DEPT

970400:

1012 1013 1014 1016 1017 1018 1019 1020 1021 2000 2001 2002

2005 2006 2007 2008 2010 2015 2016 2017

VTD: 009CTY6 - NORTH MILLEDGEVILLE

970400:

1006 1010 1011 2004 2018

VTD: 009MERI - MERIWEATHER

970300:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011

1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023

1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035

1036 1037 1038 1039 1040 1041 1042 1043 1044 1045 1046 1047

1048 1049 1050 1051 1052 1053 1054 1055 1056 1057 1058 1059

1060 1061 1062 1063 2000 2001 2002 2003 2005 2008 2011 2015

2018 2019 2020 2022 2023 2024 2025 2026 2074 2075 2078 2080

2082 2083 2084

970400:

2019 2020 2023 2025 2026 3018 3019 3020 3022 3023 3026 3027

3028

District 002

Baldwin County

VTD: 009318 - NORTH BALDWIN

970200:

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1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023

1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035

1036 2000 2001 2002 2003 2006 2007 2008 2009 2010 2011 2012

2013 2014 2015 2016 2017 2018 2019 2020 2021 2023 2024 3000

3001 3002 3003 3004 3005 3006 3007 3009 3010 3014 3015 3022

3024 3028 3029 3032 3033 3034 3043 3044 3045 3051 3052 3053

3054 3055 3071 4002

970300:

2032 2035 2036 2037 2038 2039 2040 2041 2044 2048 2056 2057

2062 2064 2067 2068 2087

970400:

1002 1005

VTD: 009CTY1 - SOUTH MILLEDGEVILLE

970200:

2004 2005 2022

970300:

2031 2042 2043 2045 2047 2049 2050

VTD: 009CTY3 - BODDIE

970200:

3040 3041 3042 3056 3057 3058 3059 3060 3069 3070 4003

VTD: 009CTY5 - FIRE DEPT

970200:

3061 3062 3063

VTD: 009CTY6 - NORTH MILLEDGEVILLE

970100:

1047 1049 1050 1056 1072 1075 1076 1077

970200:

3008 3011 3012 3013 3016 3017 3018 3019 3020 3021 3023 3025

3026 3030 3031 3035 3036 3037 3038 3039 3046 3047 3048 3049

3050 3064 3065 3066

970300:

2030 2033 2034 2051 2052 2053 2054 2055 2058 2059 2060 2061

2063 2065 2066 2069 2070 2076 2085 2088

970400:

1000 1001 1003 1004 1007 1008 1009 1015 1022

VTD: 009MONT - EAST BALDWIN

970100:

1000 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012

1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024

1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036

1037 1038 1039 1040 1041 1042 1043 1044 1045 1046 1048 1051

1052 1053 1054 1055 1057 1058 1059 1060 1061 1062 1073 1074

1078 1081 1082 1083 1084

970200:

3027

District 003

Baldwin County

VTD: 009318 - NORTH BALDWIN

970200:

3067

VTD: 009321E - EAST HARDWICK

970701:

2004 2005 2017 2018 2021 2022 2026 2027 2029 2030 2031 2032

2033 3000 3006 3007

970702:

1009 1016 1022 1023 1024 1025 1026 1028 1029 2001 2002 2004

VTD: 009CTY1 - SOUTH MILLEDGEVILLE

970400:

3006 3007 3010 3012 3013 3014 3015 3016 3029 3030 3032 4019

5007 5008 5014 5026 5027 5028

970500:

1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 2031 2032

2041 2042 2043 2044 2045 2049 2050 2051 2052

VTD: 009CTY2 - CITY HALL ANNEX

970701:

1014 1017 1018 1022 1023 1024 1025 1026 1027 1028 1029 1030

1031 1033 1034 1035 2000 2001 2002 2003 2006 2007 2008 2009

2019 2020 2028 3001 3002 3003 3004 3005 3008 3009

970702:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1010 1011 1012

1013 1014 1015 1017 1018 1027 1030 1031 2000

VTD: 009CTY3 - BODDIE

970200:

4000 4001 4004 4005 4006 4007 4008 4009 4010 4011 4012 4013

4014 4015 5000 5001 5002 5003 5004 5005 5006 5007 5008 5009

5010 5011 5012 5013 5014 5015 5018 5019 5020 5021

970701:

1000 1001 1002 1003 1004 1005 1006 1010 1011 1012 1013

VTD: 009CTY4 - COURTHOUSE

970400:

5000 5001 5002 5003 5010 5011 5012 5013 5015 5016 5017 5018

5019 5020 5021 5022 5023 5024 5025 5029 5030 5031

970600:

1008 1009 1012

970701:

1032 1036

VTD: 009CTY5 - FIRE DEPT

970400:

3003 3005 3008 3009 3011 3031 4000 4001 4002 4003 4004 4005

4006 4007 4008 4009 4010 4011 4012 4013 4014 4015 4016 4017

4018 4020 4021 4022 4023 4024 4025 4026 5004 5005 5006 5009

VTD: 009MONT - EAST BALDWIN

970100:

1001 1063 1064 1065 1066 1067 1068 1069 1070 1071 1079 1080

1085 1086 1087 2000 2001 2002 2003 2004 2005 2006 2007 2008

2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020

2021 2022 2023 2024 2025 2026 2027 2028 2029 3006 3008 3010
 3011 3019 3020 3021 3022
 970200:
 3068 5016 5017

District 004

Baldwin County

VTD: 0091714 - SCOTTSBORO

VTD: 009321E - EAST HARDWICK

970701:

1038 2011 2012 2014 2015 2016 2025 3015 3016 3017 3018 3019
 3020 3028 3029 3030 3032 3039 3041 3042 3043 3044 3045

970702:

1019 1020 1021 2003 2005 2006 2007 2008 2009 2010 2011 2012
 2013 2014 2016 2017 2018 2051

VTD: 009321W - WEST HARDWICK

970600:

1002 1003 1004 1005 1006 1007 1010 1011 1013 1014 1015 1024
 1025 1026 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009
 3010 3011 3012 3013 3014 3015 3016 3017 3018 4000 4001 4002
 4003 4004 4005 4006 4007 4008 4009 4010 4011 4012 4013 4014
 4015 4016 4020 4021 4022 4023 4024 4025 4026

VTD: 009CTY2 - CITY HALL ANNEX

970702:

2015 2019 2020 2021 2022 2029 2030 2031 2032 2033 2034 2035
 2036 2037 2038 2039 2040 2041 2042 2043 2044 2045 2046 2047
 2048 2049 2050 2054

970800:

1001 1002 1003 1004 1005 1015 1016 1017 1020 1021 1022 1023

VTD: 009CTY4 - COURTHOUSE

970701:

1037 2010 2013 2023 2024 3010 3011 3012 3013 3014 3021 3022
 3023 3024 3025 3026 3027 3031 3033 3034 3035 3036 3037 3038
 3040

970702:

2023 2024 2025 2026 2027 2028

VTD: 009MONT - EAST BALDWIN

970100:

3000 3001 3002 3003 3004 3005 3007 3009 3012 3013 3014 3015
 3016 3017 3018 3023 3024 3025 3026 3027 3028 3029 3030 3031
 3032 3033 3034 3035 3036 3037 3038 3039 3040 3041 3042 3043
 3044 3045 3046 3047 3048 3049 3050 3051 3052 3053 3054 3055
 3056 3057 3058 3059 3060 3061 3062 3063 3064 3065 3066 3067

3068 3069 3070 3071 3072 3073 3074

970702:

2052 2053

970800:

1000 1019 1064 1065

District 005

Baldwin County

VTD: 009319 - WEST BALDWIN

970500:

3029 3046 3047 3048 3049 3075 3081 3082 3085 3086

VTD: 009321W - WEST HARDWICK

970600:

1016 1017 1018 1019 1020 1021 1022 1023 1027 1028 1029 1030

1031 1032 1033 1034 1035 2001 2002 2005 2009 2010 2011 2013

2015 2016 2018 2021 2022 2023 2024 2025 2026 2027 2028 2029

4017 4018

970800:

2001 2004 2005 2006 2007 2008 2009 2010 2011 2012 2016 2017

2018

VTD: 009322 - COOPERS

VTD: 009CTY1 - SOUTH MILLEDGEVILLE

970500:

1023 1024 2000 2001 2002 2004 2005 2006 2007 2008 2009 2010

2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022

2023 2024 2025 2026 2027 2028 2029 2030 2033 2034 2035 2036

2037 2038 2039 2040 2046 2047 2048 3030 3031 3032 3033 3035

3037 3038 3039 3044 3045 3076 3077 3078 3079 3080 3083 3084

3087

970600:

2003 2004 2006 2007 2008 2012 2014 2017 2019 2020 2030 2031

2032 2033 2034

VTD: 009CTY2 - CITY HALL ANNEX

970500:

1047 1048 1049 1050

970600:

1000

970701:

1015 1016 1019 1020 1021

VTD: 009CTY3 - BODDIE

970701:

1007 1008 1009

VTD: 009CTY4 - COURTHOUSE

970500:

1000 1001 1002 1003 1004 1005 1006 1017 1018 1019 1020 1021
 1022 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035
 1036 1037 1038 1039 1040 1041 1042 1043 1044 1045 1046 1051
 1052 1053

970600:

1001 2000

VTD: 009MERI - MERIWEATHER

970500:

2003

The report of the Committee, which was favorable to the passage of the Bill, by substitute, was agreed to.

HB 88. By Representative Prince of the 127th:

A BILL to be entitled an Act to amend an Act creating a new charter for the City of Stapleton, approved March 30, 2000 (Ga. L. 2000, p. 3543), as amended, particularly by an Act approved October 25, 2001 (Ga. L. 2001, Ex. Sess., p. 743), so as to change the terms of office of the mayor and councilmembers; to provide for at-large elections; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

HB 101. By Representative Cheokas of the 138th:

A BILL to be entitled an Act to amend an Act providing for the Board of Education of Schley County, approved March 4, 1977 (Ga. L. 1977, p. 2955), as amended, particularly by an Act approved April 8, 2002 (Ga. L. 2002, p. 3822), so as to change the description of education districts; to provide for definitions and inclusions; to provide for continuation in office of current members; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

HB 102. By Representative Cheokas of the 138th:

A BILL to be entitled an Act to provide that the judge of the Probate Court of Schley County shall also serve as the judge of the Magistrate Court of Schley

County on and after January 1, 2017; to provide for the continuation in office and expiration of term of the current magistrate judge; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

HB 125. By Representative Belton of the 112th:

A BILL to be entitled an Act to provide a homestead exemption from City of Rutledge ad valorem taxes for municipal purposes in the amount of \$10,000.00 of the assessed value of the homestead for residents of that city who are 65 years of age or older; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

HB 148. By Representatives Dickey of the 140th and Clark of the 147th:

A BILL to be entitled an Act to authorize the governing authority of the City of Byron to levy an excise tax pursuant to subsection (b) of Code Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

By unanimous consent, the following roll call vote was made applicable to the previously read Bills.

On the passage of the Bills, the roll call was ordered and the vote was as follows:

| | | | | |
|------------------|-------------------|-------------|------------|---------------|
| N Abrams | Y Coomer | Y Harbin | Y Meadows | Y Smith, M |
| Y Alexander | Y Cooper | Y Harden | N Mitchell | Y Smith, R |
| Y Allison | Y Corbett | Harrell | Y Morris | Y Smyre |
| N Anderson | N Dawkins-Haigler | Y Hatchett | Mosby | Y Spencer |
| Y Atwood | Y Deffenbaugh | Y Hawkins | Y Nimmer | Y Stephens, M |
| Y Ballinger | Y Dempsey | Y Henson | Y Nix | Y Stephens, R |
| E Barr | Y Dickerson | Y Hightower | Y Oliver | E Stephenson |
| Y Battles | Y Dickey | Y Hitchens | Y O'Neal | Y Stovall |
| E Beasley-Teague | Y Dickson | Y Holcomb | Pak | Y Stover |
| N Bell | Dollar | Y Holmes | Y Parrish | Y Strickland |

| | | | | |
|---------------|--------------|---------------|-------------|------------------|
| Y Belton | Y Douglas | Y Houston | Y Parsons | Y Tankersley |
| N Bennett | Y Drenner | Y Howard | Y Peake | Y Tanner |
| Y Bentley | Y Dudgeon | Y Hugley | Y Petrea | Tarvin |
| Y Benton | E Dukes | Y Jackson | Y Pezold | Y Taylor, D |
| Y Beskin | Y Dunahoo | Y Jacobs | Powell, A | Y Taylor, T |
| Y Beverly | Y Duncan | Y Jasperse | Y Powell, J | Y Teasley |
| Y Broadrick | Y Ealum | Y Jones, J | Y Prince | Y Thomas, A.M. |
| Y Brockway | Y Efstration | Y Jones, J.B. | Y Pruett | Y Thomas, E |
| Y Brooks | Y Ehrhart | Y Jones, L | Y Quick | Y Trammell |
| Y Bruce | Y England | Y Jones, S | Y Rakestraw | Y Turner |
| Y Bryant | Y Epps | E Jordan | Y Ramsey | Vacant, 120th |
| Y Buckner | Y Evans | Kaiser | Y Randall | Vacant, 50th |
| Y Burns | Y Fleming | Y Kelley | E Reeves | Y Waites |
| Y Caldwell, J | E Floyd | N Kendrick | Rice | Watson |
| Y Caldwell, M | N Fludd | Y Kidd | Y Roberts | Y Welch |
| Y Cantrell | Y Frazier | Y Kirby | Y Rogers, C | Y Weldon |
| Y Carson | Y Frye | Y Knight | Y Rogers, T | Y Werkheiser |
| Y Carter | Gardner | Y LaRiccia | Rutledge | Y Wilkerson |
| Y Casas | Y Gasaway | Y Lumsden | Y Rynders | Y Wilkinson |
| Y Chandler | Y Geisinger | Y Mabra | N Scott | Y Willard |
| Y Cheokas | Glantton | Y Marin | E Setzler | Y Williams, A |
| Y Clark, D | Y Golick | Y Martin | Y Sharper | Y Williams, C |
| Y Clark, H | Y Gordon | Y Maxwell | Shaw | Y Williams, E |
| Y Clark, V | Y Gravley | Y Mayo | Y Sims | Y Williamson |
| Y Coleman | Y Greene | Y McCall | Y Smith, E | Y Yates |
| Y Cooke | Y Hamilton | E McClain | Y Smith, L | Ralston, Speaker |

On the passage of the Bills, the ayes were 146, nays 9.

The Bills, having received the requisite constitutional majority, were passed.

The following members were recognized during the period of Morning Orders and addressed the House:

Representatives Hamilton of the 24th, Cheokas of the 138th, Williams of the 87th, Benton of the 31st, Casas of the 107th, Ehrhart of the 36th, Gardner of the 57th, Dempsey of the 13th, Smith of the 70th et al., and Cooper of the 43rd.

The Speaker Pro Tem assumed the Chair.

The following members were recognized during the period of Morning Orders and addressed the House:

Representatives Clark of the 98th, Ramsey of the 72nd, Ballinger of the 23rd, and Fludd of the 64th.

Pursuant to HR 38, the House commended the Echols County Drama Club and invited the members to be recognized by the House of Representatives.

The Speaker assumed the Chair.

Pursuant to HR 111, the House recognized February 3, 2015, as Georgia Southern University Day at the capitol and invited President Brooks Keel, Dr. Jean Bartels, Rachel Neuhauser, and Andrew Smallwood to be recognized by the Georgia House of Representatives.

The following Resolutions of the House were read and referred to the Committee on Rules:

HR 198. By Representatives Bruce of the 61st, Fludd of the 64th, Alexander of the 66th, Thomas of the 56th, Brooks of the 55th and others:

A RESOLUTION commending Willie Bolden on the active role he played in the Civil Rights Movement and inviting him to be recognized by the House of Representatives; and for other purposes.

HR 199. By Representatives Bruce of the 61st, Fludd of the 64th, Alexander of the 66th, Thomas of the 56th, Brooks of the 55th and others:

A RESOLUTION commending Lonnie C. King, Jr., for the extraordinary part he played in the Civil Rights Movement and inviting him to be recognized by the House of Representatives; and for other purposes.

The following Resolution of the House, referred to the House Rules Subcommittee on Invites, was reported by the Committee on Rules with the following recommendation:

HR 174 Do Pass

The following Resolution of the House, favorably reported by the Committee on Rules, was read and adopted:

HR 174. By Representatives Wilkinson of the 52nd, Jones of the 47th, Teasley of the 37th, Dollar of the 45th, Beskin of the 54th and others:

A RESOLUTION recognizing February 17, 2015, as the Building Owners and Managers Association of Georgia (BOMA Georgia) Day at the Capitol, offering best wishes for the success of the BOMA Georgia Foundation, and inviting members to be recognized by the House of Representatives; and for other purposes.

The following Resolutions of the House were read and adopted:

HR 200. By Representative Maxwell of the 17th:

A RESOLUTION recognizing and commending Mrs. Linda Holbrook Lawrence on the grand occasion of her retirement; and for other purposes.

HR 201. By Representatives Hitchens of the 161st and Burns of the 159th:

A RESOLUTION recognizing and commending the Effingham YMCA Christian Leadership Academy of the Effingham YMCA; and for other purposes.

HR 202. By Representative Carson of the 46th:

A RESOLUTION recognizing and commending Oliver John Park; and for other purposes.

HR 203. By Representative Cheokas of the 138th:

A RESOLUTION honoring the life and memory of William "Bill" Stephen Perry, Sr., and expressing sincere regrets at his passing; and for other purposes

HR 204. By Representatives Peake of the 141st, Pezold of the 133rd, Hatchett of the 150th and Kaiser of the 59th:

A RESOLUTION commending the restaurant industry of Georgia and recognizing February 18, 2015, as State Restaurant Day at the state capitol; and for other purposes.

HR 205. By Representatives Thomas of the 56th, Jones of the 53rd, Stovall of the 74th, Bell of the 58th and Brooks of the 55th:

A RESOLUTION recognizing and commending Vertical Church on the occasion of its 3rd anniversary; and for other purposes.

HR 206. By Representatives Taylor of the 79th, Wilkinson of the 52nd, Yates of the 73rd, Caldwell of the 20th, Beskin of the 54th and others:

A RESOLUTION recognizing January 24, 2015, as the 50th anniversary of the death of Sir Winston Churchill and honoring his memory in the House of Representatives; and for other purposes.

HR 207. By Representatives Ramsey of the 72nd, O'Neal of the 146th, Mabra of the 63rd, Yates of the 73rd, Stover of the 71st and others:

A RESOLUTION commending Michael Crofton for being chosen as part of Team USA to compete in this year's Special Olympics World Summer Games; and for other purposes.

HR 208. By Representative Dickey of the 140th:

A RESOLUTION commending John Kirkland for being chosen as part of Team USA to compete in the 2015 Special Olympics World Summer Games; and for other purposes.

HR 209. By Representatives Drenner of the 85th and Henson of the 86th:

A RESOLUTION commending the Sea Trust Institute and its Action Within A Resilient Environment (A.W.A.R.E.) program; and for other purposes.

HR 210. By Representatives Bruce of the 61st, Fludd of the 64th, Alexander of the 66th, Thomas of the 56th, Brooks of the 55th and others:

A RESOLUTION commending Georgia civil rights leader Frank Holloway; and for other purposes.

HR 211. By Representatives Bruce of the 61st, Fludd of the 64th, Alexander of the 66th, Thomas of the 56th, Brooks of the 55th and others:

A RESOLUTION honoring the life and memory of Herman Jerome "HJ" Russell, Sr.; and for other purposes.

HR 212. By Representatives Bruce of the 61st, Fludd of the 64th, Alexander of the 66th, Thomas of the 56th, Brooks of the 55th and others:

A RESOLUTION commending Eva Kendrick for her work with the Civil Rights Movement; and for other purposes.

HR 213. By Representatives Atwood of the 179th, Benton of the 31st, Stover of the 71st, Tarvin of the 2nd and Williams of the 119th:

A RESOLUTION congratulating Cecil Woods upon her 105th birthday; and for other purposes.

HR 214. By Representatives Atwood of the 179th, Caldwell of the 131st, Coomer of the 14th, Willard of the 51st, Meadows of the 5th and others:

A RESOLUTION honoring Colonel Keith Herbert Hodges, United States Army retiree; and for other purposes.

Representative O'Neal of the 146th moved that the House do now adjourn until 10:00 o'clock, tomorrow morning, and the motion prevailed.

The Speaker announced the House adjourned until 10:00 o'clock, tomorrow morning.